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JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF THE

Territory of New Mexico,

Of the session begun and held in the city of Santa Fé, Territory of New Mexico, on Monday the third day of December, A. D. one thousand eight hundred and sixty-six it being the sixteenth Legislative Assembly for the said Territory.

SANTA FÉ, N. M.:
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JOURNAL

OF THE

LEGISLATIVE COUNCIL.

1866---1867.

JOURNAL

OF THE

LEGISLATIVE COUNCIL.

MONDAY, DECEMBER 3, 1866.

This being the day prescribed by the organic law for the meeting of the Legislative Assembly, the following members of the Legislative Council met in the Council Hall, to wit:

County of Taos—Hon. Rafael Chacon.
County of Santa Fé—Hon. Miguel E. Pino.
County of Santa Ana—Hon. Jesus Ma. Silva.
County of Bernalillo—Hon. Guadalupe Perea.
County of Valencia—Hon. Manuel Sanchez.
County of Socorro—Hon. José Antonio Torres.
County of San Miguel—Hon. Manuel de Herrera.

The Council was called to order by Hon. Miguel E. Pino.

On motion of Hon. José Antonio Torres Hon. Miguel E. Pino was appointed President *pro tempore*.

Hon. Rafael Chacon moved that Antonio Ortiz y Salazar be appointed Secretary *pro tempore*.

Agreed to.

Hon. Manuel Barela delivered his credentials as member of the Council from San Miguel county.

The credentials were examined and being found correct he was received.

Hon. Rafael Chacon moved that a committee be appointed for the purpose of requesting Hon. J. P. Slough, Chief Justice of the Supreme Court, to administer the oath to the Hon. Manuel Barela

Agreed to.

The committee was composed of the following members:

Hons. Rafael Chacon, José Antonio Torres and Guadalupe Perea.

The committee returned after a short absence accompanied by the Chief Justice who administered the oath to Hon. Manuel Barela.

On motion of Hon. Manuel Sanchez the Council proceeded to the election of officers.

Hon. Manuel Sanchez proposed Hon. Miguel E. Pino for President.

Hon. Miguel E. Pino was unanimously elected President of the Council.

Hon. Manuel Sanchez proposed Mr. Francisco Salazar for Chief Clerk.

The question was put, and Mr. Salazar was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Manuel D. Pino as Assistant Clerk.

The question was put, and Mr. Pino was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Ambrosio Ortiz for Engrossing Clerk.

The question was put and Mr. Ortiz was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Ambrosio Sanchez as Enrolling Clerk.

The question was put, and Mr. Sanchez was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Pedro Sanchez as Sergeant-at-arms.

The question was put, and Mr. Sanchez was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Longino Perea as Doorkeeper.

The question was put, and Mr. Perea was unanimously elected.

Hon. Manuel Sanchez proposed Mr. Luis Tafoya for Interpreter.

The question was put, and Mr. Tafoya was unanimously elected.

Hon. John P. Slough, Chief Justice of this Territory, being present, administered the oath of office to the officers of the Council, who then entered upon the discharge of their respective duties.

Hon. Rafael Chacon moved that a vote of thanks be tendered to the Hon. Chief Justice of the Territory of New Mexico, for his assistance in the organization of this branch of the Legislative Assembly and administering the oath to the officers and members of this honorable bod.

The motion was adopted.

The President thanked the Judge for his prompt attendance.

The Hon. Judge thanked the members kindly for the good feelings manifested towards him.

The President instructed the committee to escort the Hon. Chief Justice to his residence.

On motion of Hon. Rafael Chacon the Council adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, DECEMBER 4, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres and the President.

A quorum being present, the Council proceeded to the dispatch of business.

Hon. Antonio G. Cordova of the county of Rio Arriba presented himself and took his seat.

Hon. Rafael Chacon moved that the proceedings of the previous day be reconsidered and newly approved and ratified as legal by to-day's session.

Agreed to.

The journal of the previous day was read and

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 8—noes 0.

In the affirmative voted Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Manuel Sanchez, Guadalupe Perea, Jose Antonio Torres, Antonio Guadalupe Cordoba and the President.

In the negative none voted.

Consequently the journal was adopted unanimously by the Council.

Hon. Jose Antonio Torres moved that the rules which governed this honorable body during the last session be adopted as the rules that will govern the present.

Agreed to.

Hon. Jesus Maria Silva moved that the Chief Clerk be instructed to forward to the Hon. Secretary and acting Governor of the Territory a list of the members and officers of the Council.

The motion was adopted.

The President instructed the Chief Clerk to transmit the roll in conformity with the foregoing motion.

On motion of Hon. Jose Antonio Torres the Council adjourned until to-morrow at 10 o'clock, A. M.

WEDNESDAY, DECEMBER, 5, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, and the President.

A quorum being present, the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Hon. Pascual Martinez, member of the Council from the county of Taos, appeared and took his seat.

Hon. Jesus Maria Silva announced that Hon. Antonio Maria Pacheco, member elect for the county of Mora, was present, and desired to present his credentials and take his seat.

Hon. Jesus Maria Silva moved to refer the credentials to a committee of three for examination.

Agreed to.

The committee was composed of the following members:

Hons. Jesus Maria Silva, Manuel Sanchez and José Antonio Torres.

On motion of Hon. Rafael Chacon the Council adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, DECEMBER 6, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Rernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, and the President.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

On motion of Hon. Manuel Sanchez, the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, DECEMBER 7, 1866.

The Council met pursuant to adjournment.

The President of the Council being absent on account of sickness, Hon. Jose Antonio Torres took the seat of President and called the Council to order.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus

Maria Silva of Santa Ana, Guadalupe Berea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro.

A quorum being present the Council proceeded to the dispatch of business.

Hon. Manuel Sanchez proposed Hon. Jose Antonio Torres for vice president of the Council during the present session of the Legislative Assembly.

The motion was adopted.

Consequently Hon. Jose Antonio Torres was declared vice president of the Council.

The journal of the previous day was read and on motion approved.

On motion of Hon. Rafael Chacon the Council adjourned until two o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjourment.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro.

A quorum being present the Council proceeded to the dispatch of business.

Hon. Rafael Chacon moved that the rules be suspended to introduce a memorial and resolution.

Agreed to.

Hon. Rafael Chacon then introduced—

A memorial to His Excellency Andrew Johnson, President of the United States, Hon. O. M. Browning, Sec-

retary of the Interior Department and L. V. Bogy, Commissioner of Indian Affairs asking that the Indians be located on reservations out of the settlements.

Was read the first time.

On motion of Hon. Jesus Maria Silva the rules were suspended and the memorial

Was read the second time.

Hon. Rafael Chacon moved that the rules be suspended and the memorial read the third time.

The memorial was read the third time.

On motion the memorial passed.

Hon. Rafael Chacon with suspension of rules introduced—

A resolution of the Council requesting Hon. A. B. Norton, Superintendent of Indian Affairs to furnish the Council with a copy of the report he has made in regard to the Indians in this Territory.

Was read the first time.

On motion of Hon. Jesus Maria Silva the resolution was adopted.

On motion of Hon: Antonio Guadalupe Cordova the Council adjourned until to-morrow, Saturday, at 10 o'clock, A. M.

SATURDAY, DECEMBER 8, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, and José Antonio Torres of Socorro.

The President absent on account of sickness.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, DECEMBER 10, 1866.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Manuel Barela of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos and the President.

A quorum being present the Council proceeded to the

The journal of the previous day was read and on motion approved.

The President annonnced that Hon. Rafael Chacon was sick and requested to be excused from attending to-day's session.

Agreed to.

Hon. Manuel Herrera, member of the Council from the county of San Miguel appeared and took his seat.

A communication from the House ef Representatives was announced and received.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

Hon. Jesus Maria Silva made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

The credentials of Antonio Maria Pacheco,

Has had the same under consideration and having examined them find they are correct and consequently the committee recommends that he be admitted and take his seat as a member of this honorable body for the county of Mora.

JESUS MARIA SILVA,
Chairman of the committee.

On motion of Mr. P. Martinez, the report of the committee was adopted.

Hon. Miguel E. Pino, President of the Council, then

announced that Antonio Maria Pacheco was a lawful member of the Council.

Hon. Pascual Martinez moved that a committee of three be appointed for the purpose of informiug Mr. Pacheco that he had been admitted as a member, and invite him to come and take his seat.

Agreed to.

The committee was composed of the following members:

Hons. Pascual Martinez, Jesus Maria Silva, and Antonio Guadalupe Cordova.

A committee from the Council was announced and received.

The committee returned and announced having complied with its duty, and that Hon. Antonio Pacheco was present.

Hon. Pascual Martinez moved that a committee of three be appointed for the purpose of requesting Chief Justice Slough to come and administer the oath to Hon. Antonio Maria Pacheco.

Agreed to.

The President appointed in said committee the following members:

Hons. Pascual Martinez, Guadalupe Perea and Manuel Barela.

The committee returned and reported having complied with its commission and that the Hon. Chief Justice was present.

Hon. Miguel E. Pino, President of the Council moved that the Hon. Chief Justice being present, should proceed to administer the oath of office to the Hon. Antonio Maria Pacheco, as member of the Council from the county of Mora.

The President thanked the Judge for his prompt attendance.

The Hon. Judge thanked the members kindly for the good feelings manifested towards him.

The President instructed the committee to escort the Hon. Chief Justice to his residence.

A committee from the House of Representatives was announced and received, and reported through its chairman that the House of Representatives was duly organized and ready to receive any official communication from the Council.

Hon. Pascual Martinez moved that a committee of three be appointed for the purpose of informing the House of Representatives that the Council is organized and ready to proceed to business.

Agreed to.

The committee was composed of the following members:

Hons. Pascual Martinez, Jesus Maria Silva and Antonio Guadalupe Cordova.

The committee returned and announced having complied with its duty.

Hon. Jesus Maria Silva moved that the chief clerk be instructed to forward a list of the members and officers of this honorable body to the House of Representatives.

Agreed to.

Hon. Pascual Martinez moved that a committee be appointed for the purpose of acting with another from the House to inform his Excellency, W. F. M. Arny, Acting Governor of the Territory of New Mexico, that both houses were organized, and ready to receive any message or official communication that he should be pleased to address them.

Agreed to.

The President appointed in said committee the following members:

Hons. Pascual Martinez, Guadalupe Perea and Manuel Barela.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The special committee appointed as a committee of conference to act with another from the House to inform the Governor of the organization of the Legislative Assembly, reported that the House was not ready to appoint a committee.

Hon. Miguel E. Pino, in conformity with the rules, then announced the standing committees as follows:

On Judiciary—Hons. Rafael Chacon, Pascual Martinez and Manuel Sanchez.

On Territorial Affairs—Hons. Jose Antonio Torres, Antonio G. Cordova and Manuel Herrera.

On Printing—Manuel Sanchez, Antonio M. Pacheco and Guadalupe Perea.

On the Capitol—Manuel Barela, Jesus Maria Silva Pascual Martinez.

On Indian Affairs—Hons. Manuel Herrera, Antonio G. Cordova and Rafael Chacon.

On Counties—Hons. Pascual Martinez, Manuel Barela and Guadalupe Perea.

On Internal Improvements—Hons. Antonio Maria Pacheco, Jose Antonio Torres and Pascual Martinez.

On Roads and Acquias—Hons. Antonio G. Cordova, Manuel Sanchez and Guadalupe Perea.

On Public Property—Hons. Jesus Maria Silva, Manuel Barela and Manuel Herrera.

On Militia—Hons. Manuel Sanchez, Pascual Martinez and Jose Antonio Torres.

On the Library—Hons. Jesus Maria Silva, Antonio Maria Pacheco and Manuel Sanchez.

On Education—Hons. Pascual Martinez, Manuel Barela and Jesus Mara Silva.

On Agriculture and Manufactures—Hons. Antonio G. Cordova, Manuel Sanchez and Jesus Maria Silva.

On Finance—Hons. Jose Antonio Torres, Rafael Chacon and Antonio G. Cordova.

On Mines and Waste Lands—Hons. Manuel Herrera, Antonio Maria Pacheco and Rafael Chacon.

On Privileges and Ellections—Hons. Manuel Barela, Pascual Martinez and Jose Antonio Torres.

On Enrolled Bills—Hons. Rafael Chacon, Jesus Maria Silva and Antonio G. Cordova.

On Engrossed Bills—Hons. Guadalupe Perea, Manuel Barela and Rafael Chacon.

On Vice and Immorality—Hons. Antonio Maria Pacheco, Manuel Herrera and Guadalupe Perea.

Hon. Manuel Sanchez moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES,
December 10th, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

Sir—I have the honor to forward herewith for the in-

formatiou of the Legislative Council a list of the members of the House.

Very respectfully your obt. servt.

NICOLAS QUINTANA,

Chief Clerk House of Reps.

List of the members of the House of Representatives of the Territory of New Mexico.

County of Taos—Hons. Pedro Garcia, Santos Muñis, José Antonio Ma.tinez.

County of Rio Arriba—Hons. Manuel Jaramillo, Pablo Jaramillo and José Ramon Ortega.

Couuty of Santa Fé—Hons. Vicente Garcia and Juan Gonzales.

County of Santa Ana—Hons. Samuel Ellison.

County of San Miguel—Hons. Benigno Jaramillo, Matias Rivera, Manuel Baca and José M. Martinez.

County of Mora—Trinidad Lopez and Juan J. Gallegos.

County of Bernalillo—Hons. Benjamin Stevens and Francisco Perea.

County of Valencia—Hon. Pedro Torrez.

County of Socorro—Hons. José Apodaca and R. H. Stapleton.

On motion of Hon. Manuel de Herrera the communication was received.

Another communication from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES,

December 10th, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

Sir—I am instructed to inform your honorable body that the House of Representatives is duly organized and ready

to proceed in the discharge of its duty.

I enclose herewith a list of the officers of the House of Representatives.

Speaker—Hon. R. M. Stephens.
Chief Clerk—Nicolas Quintana.
Assistant Clerk—George Ortiz.
Engrossing Clerk—Nicanor Vigil.
Enrolling Clerk—Dionicio Bargas.
Sergeant-at-arms—Jose D. Tafoya.
Interpreter—Teofilo Chavez.
Doorkeeper—Pablo Madrid.

Very respectfully your obt. serv't,
NICOLAS QUINTANA,
Chief Clerk House of Reps.

On motion of Hon. Pascual Martinez the communication was received.

A petition from the Hon. John P. Slough to the Legislative Assembly was read as follows:

SANTA FE, NEW MEXICO,
December 3d, 1865.

To the Legislative Assembly of the Territory of New Mexico:—

Gentlemén—A short two leagues from "La Glorieta," beneath the shadow of the ancient "Pecos Church," is a small tract of land, partially and rudely enclosed. It is virgin soil, unbroken, save by a little cluster of small oblong mounds. These are graves of soldiers—soldiers slain in battle, and in defence of you and your constituents.

The military representatives of the nation exhumed the bodies of these slain soldiers and there assembled them.—Over them the plain headboard, and around them the

plain enclosure was erected. Sacraligious hands have robbed this resting place of the heroic dead of all save a portion of the enclosure. No board, no stone, no urn, no monument appears. The passing stranger wondering asks, why these mounds? From them no answer comes.

The people of New Mexico have not forgotten the thrilling events of five years ago. How the invaders despoiled them. How when the troops appointed for their protection were beaten back at Valverde, and the heart of the country was in possession of the enemy, a neighboring Territory heard their cry for aid and sent nearly a thousand of her sons. How the Colorado soldiers amid winter's blasts and snows, hundreds of miles through the wilderness, with scanty clothing and subsistence, marched as never infantry marched before, to their relief. How with the help of a few regular troops they met the enemy in superior force at "Apache Cañon," and so crippled him as to compel him to evacuate the country.

These are matters of history. The people of New Mexico remember them, and although unworthy representatives of this people have once striven, through some inexplicable influence, to falsify this record by according to others the credit of their deliverance, you and the grateful people you represent repudiate the sacrilege.—This cluster of graves attests the truth which history and your consciences accord, that your deliverance as a people was purchased by the blood which flowed at "Apache Cañon" and "Pigeons Ranch."

The slain heroes who died for you and your country lie buried as described. At Kuzlowski's they rest. Not unhonored, though neglected. The nation and the States are gathering the slain of the war. Numerous cemetaries with elaborate monuments, North and South, East and

West have been dedicated. They are intended to exhibit the gratitude of the people to the untold and frequently unknown dead heroes who saved the Nation. Should those who died for you be neglected? Ought not their graves to be decently inclosed, and, over them the plainly inscribed monument be erected? Who should perform this sacred duty? Who bnt the people they saved?

Gentlemen: This is a rightful subject of legislation. Is it not in your power to favorably act? You can thus properly exhibit you gratitude as a people to the gallant dead and to their surviving comrades. I call upon you to act. I, their late commander, solicit it. Your sister Territory, Colorado, will rejoice at favorable action. The friends and surviving comrades of the gallant dead desire it.—Your constituents expect it, and the mute, yet eloquent graves, demand it.

I an, gentlemen,
With much respect,
Your obedient servant,
JNO. P. SLOUGH.

On motion of Mr. Man'l Herrera the petition was referred to a special committee of three.

The committee appointed by the President was composed as follows:

Hons. Manuel de Herrera, José Antonio Torres and Rafael Chacon.

On motion of Hon. Rafael Chacon the Council adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, DECEMBER 11, 1866.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Manuel Barela of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

On motion of Hon. José A. Torres the Council adjourned until two o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjourment.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, and the President.

A quorum being present the Council proceeded to the dispatch of business.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

Hon. Manuel Herrera introduced the following resolution:

Whereas, A small majority of the members of the House of Representatives have delayed and refused to appoint a committee to co-operate with another of this honorable body, to inform His Excellency W. F. M. Arny, Secretary of the Territory and acting Governor, that the Legislative Assembly is organized and ready to receive any message, etc., he may desire to communicate, and

Whereas, This unnecessary delay and waste of precious time of the Legislative Assembly, and impeding our consideration and action upon questions of vital importance to the Territory; Therefore, that this body may be enabled to proceed in their duties,

Resolved, That a committee of three members be appointed by this Hon. Body, to visit His Excellency W. F. M. Arny, acting Governor and Secretary of the Territory of New Mexico, and request him to deliver to the Council his message and the reports of the different Territorial officers, in order that we may be enabled to proceed to the dispatch of our duties as members of the Legislative Council.

Resolved, That the public interests of the Terri-

tory demand immediate action on the part of the Legislative Assembly in remedying the laws, prosecuting its claims and making known its wants to the general government and furthering its advancement.

Resolved, That all endeavors to delay and retard legislation is a grave fault, and merits the severest condemnation, and those who have lent themselves as instruments for that purpose deserve the detestation of every citizen who has the interest of the Territory at heart.

Hon. José Antonio Torres moved that the preamble and resolution be adopted.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 8—noes 0.

In the affirmative voted Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Manuel Sanchez, Guadalupe Perea, Jose Antonio Torres, Antonio Guadalupe Cordova Manuel de Herrera and the President.

In the negative none voted.

Therefore the preamble and resolutions were passed unanimously.

The committee was composed of the following members:

Hons. Manuel de Herrera, Antonio G. Cordova and Jesus Ma. Silva.

The committee immediately went to wait upon his Excellency, Governor W. F. M. Arny, and informed him that the Council was ready to receive his message and the reports of the Territorial officers.

The Vice president in the chair.

The President in the chair.

The committee returned and reported having complied

with its commission and that His Excellency, the Governor was present.

The President called the Council to order.

His Excellency, the acting Governor, having taken his seat, read his Message.

(For message and documents see Appendix.)

The reading of the Message being concluded, the committee accompanied the Governor to his residence.

The Council proceeded to the dispatch of business.

Hon. Manuel Sanchez offered the following resolution:

Resolved, That Hon. W. F. M. Arny, Secretary of the Territory of New Mexico, be and is hereby requested to have printed for the use of the Legislative Assembly five hundred copies in English and five hundred copies in Spanish of his Message.

Resolved, That the Chief Clerk of this honorable body be instructed to forward a copy of the foregoing to the Hon. Secretary of the Territory.

On motion of Hon. Manuel Barela the resolution was adopted.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, DECEMBER 13, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

The President of the Council being absent on account of sickness, Hon. Jose Antonio Torres took the seat of President and called the Council to order.

Hons. Rafael Chacon of Taos, Antonio Gnadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera and Antonio Maria Pacheco.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Hon. Manuel Sanchez announced that Hon. Miguel E. Pino, President of the Council was sick and asked to be excused from to-day's session.

Agreed to.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

A message from his Excellency the Governor was received.

Hon. Manuel Herrera moved to suspend the rules to introduce a memorial.

Agreed to.

Hon. Manuel de Herrera introduced—

A memorial and resolution of the Council to His Excellency, Andrew Johnson, President of the United States, and Hon. Wm. H. Seward, Secretary of State asking that Hon. W. F. M. Arny, present Secretary of the Territory of New Mexico be reappointed.

Was read the first time.

On motion of Mr. Manuel Herrera the rules were suspended and the memorial

Was read the second time.

On motion of Mr. Manuel Sanchez the rules were suspended and the memorial

Was read the third time.

Mr. M. Herrera moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 9—noes 0.

In the affirmative voted—

Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Antonio Maria Pacheco, Manuel de Herrera, and the President.

In the negative none.

The memorial and resolution was adopted.

Hon. Manuel Herrera moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from Hon. A. B. Norton, Superintendent of Indian Affairs of the Territory of New Mexico together with his annual report was read as follows:

OFFICE OF INDIAN AFFAIRS,
Santa Fe, N. M., December 10, 1866.

To the Honorable the Council of the Legislative Assembly.

Gentlemen:—Enclosed herewith I have the honor to

send you in conformity with your request, my annual report on Indian affairs in this Territory. I hope our views will coincide so as to enable us to act in precuring the adoption of my policy, which will give protection to life and property of our people and at the same time be just and humane towards the Indians.

Very respectfully your obt. serv't,

A. B. NORTON,

Supt. Ind. Aff'rs N. M.

OFFICE OF INDIAN AFFAIRS.

SANTA FE, NEW MEXICO, September 28, 1866.

I have the honor herewith to transmit this as my first annual report; and, as my residence here has been short, my ability and opportunities of gathering information have been limited.

Having taken possession of this office only on the 1st July of last, it seems strange and unnatural that I should be required to make an annual report for the year previous to that period. However, on my arrival in this Territory I found the condition of Indians and Indian affairs in a very deplorable, disordered and unsatisfactory condition; the Indians naked, starving and dissatisfied; the agents suspended, resigned, worthless or not at their posts; the Superintendency vastly in debt, without money and without credit, and the Superintendent himself disheartened, powerless and paralyzed, and the whole Indian machine floating at will, without pilot, compass or rudder. This is the foundation on which I have had to build, and out of this chaotic mass bring order—in the accomplishment o which I regret that I have been permitted to exercise no discretion, but have been hampered and trammeled by instructions and disapprovals, and that I was not furnished promptly on my arrival with the means necessary for the work before me.

Before I enter into details in speaking of the various tribes and bands of Indians inhabiting this Territory, permit me to remark that I cannot urge too strongly upon your favorable consideration the policy of establishing all these Indians—except the Navajos, already located—upon reservations, in their own country, remote from the settlements, with a military post garrisoned on each reservation, and that the agent be stationed and required to remain at the post, as his only place of duty. And, as the Government always looks forward to the time when the Indians placed on reservations, and being taught the arts of peace, will voluntarily support and sustain themselves, too great care and judgment cannot be called into requisition in the selection of these reservations. It is necessary that a reservation possess all the ingredients and surroundings calculated to give content and satisfaction to the human heart and mind. It is necessary to have good soil, wood and water—all good and in abundance. These are the essentials, without which, or without either of which, every reservation must, in the end, prove a failure; for the Indians placed thereon, if they remain, must be kept there by force and not by choice.

UTES AND APACHES—CIMARRON.

In coming here, I came by Maxwell's where is the Cimarron agency. There I found the Mohuhaches, Utes and Jicarilla Apaches. They had just returned from a long trip over to, and down the Arkansas, after buffalo; but they failed of success. They were driven back by the Kiowas and other Indians, and were compelled to scatter and divide in order to gain subsistence on the way home. I found no agent at the Cimarron—he having left about the 1st of May for Abiquiú; and I found the Utes and Apaches in a very destitute and deplorable condition—many of them almost entirely naked, and absolutely starving: for the game is very scarce there—I might say there is none.

After the receipt of your order of disapproval of my action with reference to the feeding of these Indians, I immediately stopped the issue. The Indians commenced stealing to live; for, with them, I assure you it was a case of life or death—steal or starve were the alternatives presented. As everybody else would have done, they chose to steal. An Indian was killed in the act of committing depredations on a flock of sheep, as is claimed by the Mexican who committed the murder. The battle cry was raised of "blood for blood." They demanded of Gen. Carleton at Fort Union the Mexican who had killed the Indian. He was not delivered up, but turned over to the civil authorities. The Indians now surrounded Maxwell's premises. He, for safety, betook himself with his family to his stone mill near by his residence. I was *powerless*, without money, and with my hands tied by instructions and orders of disapproval "and I forbid." Gen. Carleton sent up a company of soldiers to protect Maxwell and his family, and went himself; and, claiming that it is cheaper to feed than to fight these Indians, he authorized Lieut. Campbell to issue half a pound of meat and half a pound of meal per day to every man, woman and child of the two tribes—thus costing the Government now over $100 per day, or $3,000 per month, instead of $500 per month, as under "my policy," which was, up to the time of being vetoed by your Department, giving entire satisfaction to the Indians concerned. I have no doubt, however, but that an Indian war was averted by this action of General Carleton. The Mexican that killed the Indian cannot be convicted. The two brothers of the murdered Indian will be here to see me on the 30th inst., and if I can satisfy them by presents for the killing of their brother, and buy a peace, I shall do it, provided it don't cost too much.

Now what shall be done with these Indians? There is little or no game in the country now inhabited by them; it has been killed, driven off, used up—it has vanished; and from conversation with the chiefs, I learn that they have no idea of leaving the region of country they now inhabit, unless compelled to do so by force. And, as for the Government always clothing and subsisting them in idleness, that is altogether out of the question. They should be put on a reservation and compelled to work, and that with as little delay as possible, taught the arts of peace, and so educated and trained in agricultural pursuits that in a few years they would be self sustaining.

Upon the supposition that they will not voluntarily consent to leave their present locality, I would respectfully recommend that they be located on a reservation in the region of country now occupied by

them, in order to save trouble, expense or warfare in removing them. And I would respectfully suggest that a place ten miles south of Maxwell's, known as Rayada, be purchased. It is a place already improved and under cultivation, good soil, well watered, with a good system of irrigation. The water is good and sufficient, the wood and timber abundant, and the tract of land is about fourteen miles square, with any quantity of buildings, enough for the agent, storehouses, mechanics, laborers, missionaries, schools, shops, etc., and I think the place could be purchased for fifty thousand dollars. The buildings would cost half that to erect them now. If any more land is needed, the Government owns what joins it on the south, and any quantity of laud additional could be attached thereto, if deemed necessary. Or, if they will consent to the arrangement, I would think it *preferable* that the Mohuache Utes, numbering about five hundred and fifty, be located on a reservation with the Capotes and Wemenuches—bands of the same tribe—somewhere on the San Juan or Rio Los Animos; and that the Jicarillas, numbering one thousand, be placed on a reservation with the Mescalero Apaches, somewhere south of Fort Stanton, which arrangement would save the expense of one agency.

CAPOTE AND WEMENUCHE UTAHS.

These Indians roam at will over the northwest portion of this Territory. Their agency is at Albiquiú. They are friendly disposed toward the Federal Government and the people of New Mexico, and have rendered good service in fighting with and keeping back the Navajos from the settlements. They have suffered almost as much from hunger this year, on account of the scarcity of game, as the Indians of the Cimarron, and are almost as destitute. They seem to hover around the settlements more this year than usual; and, disheartened, they manifest little or no disposition to help themselves—to strike out to the forests and mountains in search of game to alleviate and satisfy the cravings of their hunger.

They have had nothing from the Government in the shape of provisions since last winter; except two hundred sheep which I purchased last month and gave them. I also, at the same time, on the recommendation of the citizens about Tierra Amarilla, gave them powder, lead and caps, in order to induce them to go off on a hunt to supply their wants. But, both before and since, they have been depredating upon the herds of the people of that section of country, and in justification say that "necessity drove them to it." Thus far, however, no collision has taken place, and I sincerely hope that none may occur. These Indians will have to be fed this winter from $1,200 to $1,500 worth of provisions per month—or starve or steal. There has heretofore been expended at this agency, for provisions alone, between $3,000 and $4,500 per quarter, and they blame me for cutting off their rations.

I had a long talk with their chief men since I gave them the sheep. They wanted more provisions; but, as I had just received your order of disapproval with reference to my action in feeding the Utes and Apaches, I told them nothing, and they felt very indignant. They then wanted more powder and lead to kill game with; but I thought it best not to trust them, especially as they seemed so much dissatisfied, and I apprehended an outbreak in consequence of the depredations which they were almost daily committing. I then gave them some presents of such goods as I had on hand, with which they ap-

peared much pleased and better satisfied. They seem opposed to being placed on a reservation, claiming that "the country is theirs, and it is their right to roam wherever they please." They say "the Government has never required that of them, and they don't know what they would do if it should;" but I think they would consent without trouble or opposition, if the Government would only express to them its *determination* on that point. Also, I have no doubt that they might be prevailed on peaceably to relinquish that "right to roam" and "to the soil," and to settle on a reservation, by the Government agreeing to give them in presents and provisions no more per year than the Department would be obliged to furnish if they were placed on a reservation by force.

But, whether by force or choice, I respectfully recommend that these Indians be placed on a reservation on the Rio Los Animos, or San Juan, or some of its tributaries, and that a suitable appropriation be made for that purpose. They number 2,500 souls, and if the Mohuache Utahs of the Cimarron are placed on the same reservation, it will make them number about 3,100 men, women and children.

MESCALERO APACHES.

With regard to the Mescalero Apaches, little is known since they left the reservation of the Bosque Redondo, where the most of them had been located with the Navajos. They were unable to agree with the Navajos, and were therefore dissatisfied, and left at night in a body on the 3d of November last—ever since which time they have been committing depredations upon the settlements, and some murders. When not in the mountains south of Fort Stanton (their native country), they range between that and Los Vegas, in search of booty. Only a few days ago they killed one man and wounded another in the attempt to run off a large herd of sheep near Galisteo. Their agent, Lorenzo Labidí, says "they number about 525 souls, and he has no doubt but that he can prevail on them to settle on a reservation which might be selected for them south of Fort Stanton, and to live at peace with the inhabitants, but he does not think they can ever be induced to return to the Bosque Redondo." I would therefore recommend that these Indians be located on a reservation south of Fort Stanton, in the selection of which I would suggest that their wishes be consulted, and that the Jicarrilla Apaches, if they can be prevailed upon to leave the Cimarron, be placed on the same reservation; for these two tribes are intermarried, and are in fact one and the same people, in language, character and habits. Also, I would recommend that Fort Stanton be abandoned, and that the garrison be moved to said reservation, and a military post established thereon for the security of the agent, the protection of the public property and for the control and government of these Indians. For the accomplishment of which object a suitable appropriation will also be required.

THE GILA APACHES OF NEW MEXICO.

These are the Indians which were formerly under the authority and control of Agent M. Steck. They embrace the Mimbres and Mogollon bands. They have been for the last four years—ever since the Texas invasion—in open hostility against the people and against the Government, and have been continually committing depredations and murders throughout the southwestern portion of this Territory.

Even now, scarcely a week or a day passes but some one is the victim of their savage ferocity. In 1861 or 1862 they commenced their warfare against the whites, and have continued in open hostility ever since. They then broke up the settlements upon the Mimbres, murdered and scalped the settlers, who were unable to escape their vengeance by flight to places of safety in densely populated sections of the country. They drove off the miners and farmers from their mines and homes. And all that region of country in the neighborhood of Pinos Altos, where rich and valuable mines were successfully worked—which is one of the richest mineral regions in the known world for copper, silver and gold—had to be abandoned on account of the savage and unrelenting warfare waged against its inhabitants by these Gila Apache Indians. And, now that the miners are again attracted by the richness of these mineral deposits, and are rushing with impetuosity thither in great numbers, the military commander of this district has established for their protection a new post in the neighborhood of Pinoe Altos, which is called Fort Bayard.

Now the question again comes up, what shall be done with these Mimbres and Mogollon Apaches—the other of the Gila Apaches being in Arizona? We must either institute and carry on a vigorous campaign against them, punishing them most severely, and making them feel the power and strength of the Government, until they are willing to submit to its authority and respect the lives and property of our people; or else we must treat with them, and prevail upon themby peaceable means to settle on their old reservation or a new one, cultivate the soil and keep the peace.

Which is preferable? I hesitate not to say that, even with the untutored savage, "the heart must leap kindly back to kindness." Kindness is better than cruelty and persuasion is better than force. Let us treat with them, and then, if we fail, it is time enough to resort to the harsher remedy. I therefore respectfully recommend that Governor Mitchell, Doctor Steck (the former Agent, who says he has no doubt but that he can prevail upon them to locate on a reservation and keep the peace) and myself be authorized and empowered to treat with them, and get them settled down, either on their old reservation or on a new one, subject to the approval of your Department, and that an appropriation suitable be made for the accomplishment of this object.

COMANCHES.

With regard to the Comanches—the most wild, treacherous, warlike and brutal of all other Indians—there is a large body of them (about two thousand) continually occupying the eastern portion of this Territory. The names of their different chiefs and number of lodges, which were given me by a reliable and intelligent man who has lived and traded with them for years, are as follows:

Chiefs.	*Lodges.*	*Souls.*
Puertas,	30	about 150
Purua Caina,	60	275
Quajipe,	120	500
Mane,	260	1075

They had been in the habit, for some time previous to my coming here, of trading with the Mexican people, who have heretofore had

trade permits granted them by Gen. Carleton and by my predecessor. The consequence of which has been that an immense trade has been carried on with them, and they have been thereby encouraged to steal large numbers, amounting to thousands, of cattle from the inhabitants of Texas, and trade them to these Mexicans for goods and provisions, and in some instances for whisky and ammunition—which illicit commerce, as soon as ascertained, I immediately adopted measures to put an end to, by issuing and publishing an order revoking all licenses and permits heretofore granted to trade with any Indians in this Territory, unless said licenses were duly approved by the Commissioner of Indian Affairs at Washington; and I gave notice that any person trading with any Indians without such license, duly approved by the Commissioner of Indian Affairs, would be prosecuted to the full extent of the law.

These Comanches I understand to be friendly disposed toward the Government of the United States and toward the people of this Territory, but hostile toward the people of Texas. They have committed no depredations on the citizens of New Mexico, because their interest has dictated that they should not destroy this, the only market they have heretofore had for the stock they have stolen from the people on the frontiers of Texas. I considered it my duty, under the circumstances, to put an end to this traffic, because I considered it very unjust and cruel to the citizens of Texas to encourage the Indians in their depredations upon them by furnishing them a market for their booty. I know of instances in which traders from here have taken out a few hundred dollars worth of goods and returned with as many head of Texas cattle as dollars invested.

Although, as I said before, they have committed no depredations upon the people of New Mexico, yet they made a raid upon the herds of the Navajos at the Bosque in July last, and succeeded in running off some two hundred head of their horses and ponies, and killing four Navajos. At the same time they told Mexican herders that "they did not want any of the Government stock, nor did they intend to take anything from the Mexicans; that it was only the Navajos they were after; and that the lands of the Bosque Redondo belonged to them, and that the Navajos had no rght to them." I understand that they are in the habit occasionally of visiting and trading with the sutlers at Fort Bascom. The region of country now occupied by these Indians I understand to be that between 102° and 104° longitude and 33° and 37° N. latitude. I have no doubt that the establishment of an agency for them at Fort Bascom would exert a highly salutary beneficial influence over them, prevent to a great extent their plundering the people of Texas, and pave the way to their final settlement upon a reservation of their own, and their ultimate civilization and christianization. I would therefore recommend that such an agency be authorized and established, and that $10,000 worth of goods and presents be appropriated annually for their benefit. Understanding that they have large flocks and herds, and that game is abundant with them, no Government aid in the shape of provisions will be needed or required.

PUEBLOS.

The report of Agent Ward is so full and complete in the information it imparts, and in the recommendations with reference to the Pueblo Indians, that it seems unnecessary that I should add anything thereto. I would however recommend that the law passed by

the Territorial Legislature, allowing the sale of intoxicating liquors to Pueblo Indians, be repealed by Act of Congress, and that such sale be absolutely forbidden. I also recommend that, by Act of Congress, all suits against these Indians shall be brought only in the United States District Court, instead of being permitted to be brought before the Alcaldes (Justices of the Peace), because these Indians are continually imposed upon and harrassed by vexatious prosecutions brought before said Alcaldes, who always decide in favor of the *Mexican* and against the Indian, no matter how meritorious may be the case of the latter. Also, I recommend that by Act of Congress the sale of the lands granted to these Pueblo Indians be absolutely forbidden, and that all sales heretofore made be declared null and void, and that all Mexicans or Americans occupying, claiming or cultivating said lands, be required to abandon and give up the same to these Pueblos, the only rightful and legitimate owners thereof, and that some provision be made in said Act for reimbursing the amount actually paid by those purchasing said lands under the supposition and impression that the Indians had a legitimate right to sell the same. I make this recommendation because, on many of these Pueblos, they have sold most of their best lands, or they are occupied by those having no shadow of title. The passage of these Acts by Congress are absolutely necessary for the protection of the morals and rights of these Indians, and for the preservation of their lands for their own use, benefit and support. The appropriations recommended by Agent Ward I fully endorse and concur in. Also, in addition to the appropriations recommended by him, I would respectfully recommend and urge upon your favorable consideration the propriety, humanity and justice of making an appropriation of at least $20,000 for the establishment of schools for their benefit. The reasons for which are so fully stated and set forth in the report of Special Agent Graves, that I suggest the propriety of making that part of his report an accompanying document herewith.

These are the most peaceable, honest, kind-hearted, well-behaved, industrious and christianized Indians upon the continent, and are highly deserving of the fostering care of the Government. But, notwithstanding they have deserved so much from the Government, they have had but little—less than $25,000—since the acquirement of this Territory.

THE NAVAJOS.

I have thus far treated of all the Indians within this Superintendency except the Navajos, who have caused more trouble, and in the fightingand feeding of whom more lives and money have been expended by the Federal Government than upon all the other Indians of the Territory put together. They number about 9,000, of whom about 7,000 are on the reservation of the Bosque Redondo, and about 2,000 roaming at large in their own country. For information in detail with reference to these Indians, I respectfully refer you to the report of their able and efficient agent, Col. T. H. Dodd, which I forward herewith; and I take pleasure in expressing my general approval of his suggestions and recommendations with reference to the erection of buildings, the appropriations required, the management of the reservation and the government of the Indians.

My own individual views and convictions with reference to the Bosque will be found in a letter addressed to your Department, and

dated July 24th, 1866, and from which I make the following extracts:

* * * * * * * * * *

OFFICE SUP'T INDIAN AFFAIRS,
SANTA FE, NEW MEXICO, July 24th, 1866.

HON. D. N. COOLEY:

Sir—I have just returned from the Bosque Redondo. The goods of Col. Dodd arrived there a few days before I did. All things there are in good condition and prospering. Enclosed I send you a report of a consultation had with the chiefs. Two days before I held the consultation, the Comanches, about one hundred strong, made a raid on the herds of the Navajos within five miles of the post. In consequence of which the Navajos are still worse dissatisfied than ever with the Bosque, and the universal cry is "carry me back."

I was much pleased with the appearance of Fort Sumner and the lands of the reservation. The growing crops look well. There are about 2,500 acres under cultivation, mostly in corn. The lands are rich as any I have seen in New Mexico, and the system of irrigation is admirably adapted to supply the great want of seasonable rains, so prevalent in this country. But the water is poor and wood very scarce, hauled from twenty-five to thirty miles to the post; and eventually that scarcity of wood will lead to or compel the abandonment of the post. From three to four hundred Indians are working the corn daily. There are about 6,500 on the reservation; but they are not satisfied, especially on account of this last raid of the Comanches; and they complain of the water and want of fuel, as you will see by the enclosed report of my conference with them. The water is bearable, and can be got along with—I do not consider it unhealthy; but the mesquit roots, which is the only wood used by the Indians, must eventually give out—then the wood must be hauled twenty-five or forty miles, both for the garrison and Indians, at an enormous expense to the Government. I have no faith in the suggested process of floating it down the river; I consider it much more expensive and wasteful than hauling. The river is very crooked: fifty miles by its meanderings would only take you about twenty-five miles from the Bosque. The wood lodges in the bends, gorges up and becomes embedded in the sands, and as it can only be floated down when the river is high, it is a very uncertain process, and great difficulty must always attend the catching of the wood by a boom, as proposed, across the dam.

I have thus briefly given my honest views and convictions with reference to the Bosque; and, on account of the scarcity of wood alone, I predict its abandonment in the course of time. It may not be in two, three, nor even in five years, but that it will eventually happen I have not a particle of doubt.

No matter how much these Indians may be taught the arts of peace, to cultivate the soil and to manufacture; no matter how successful they may be in supporting and maintaining themselves; no matter how civilized and christianized they may become—if they remain on this reservation they must always be held by force, and not from choice. I would not, however, advise any change in this location at present; but desire that this reservation may have a fair trial, and be thoroughly tested in the hands of its friends; and, if successful, it will be satisfactory and gratifying to no one more than to myself. Yet I cannot but express the opinion that, on account of

the scarcity of wood and the quality of the water, the selection was unfortunate. From the conferences I had, I know that the dissatisfaction of these Indians is universal and permanent, on account of this scarcity of wood and the poorness of the water, and on account of their great attachment to their native country and dislike to a far distant removal from the place of their birth, where are the graves of their fathers, the mountains and rivers, hills and valleys, and plains "that their infancy knew."

Of the state of the health and morals of the Navajos you can form some idea from the enclosed report of the surgeon of the hospital, and from the best information I could gather when I visited the Bosque. The tale is not half told, because they have such an aversion to the hospital that but few of those taken sick will ever go there. What a commentary is this on the humanity, christianity and civilization of the white man! What a digrace to the nation, that 7,000 Indians, whilst held as prisoners of war, are thus treated—that the family circle is invaded, and that their wives and daughters are thus prostituted and diseased by the embraces of a licentious and brutalized soldiery! You will also see by the report of my conference with the chiefs that they complained of being molested by the soldiers. The only remedy for all this unbridled sensuality and licentiousness must come through the Secretary of War, in an order through the proper channels to the commander of the post.

The expense to the Government of this reservation is enormous. Not less than $1;500,000 is annually expended for clothing and feeding these Indians, and for the expenses of feeding, clothing and paying off the laborers attached thereto, These Indians have now been settled on this reservation for over three years, and it is now high time that they should be self-supporting, at least so far as the need of grain for bread is concerned; but the fact is lamentably true that not one-fifth of the amount required was raised last year. And the crop this year is no better than last; which failure is, in my opinion, attributable to the want of skill and proper attention in the management of the labor and in irrigating the land at the proper times and in a proper manner, and not to the poverty of the soil nor scarcity of water for the purposes of irrigation. Some change in this respect is much needed, and I would therefore recommend that the course with reference thereto suggested by Agent Dodd in his annual report be adopted, and that the necessary appropriation for putting his plan into successful operation be made. Also, in addition to the usual appropriation of $100,000, for the purposes as specified in last year's appropriation, I would recommend that $50,000 be appropriated for the purchase of sheep, and for the erection of the necessary buildings for this agency, as represented in Col. Dodd's report.

The Indians in the northern portion of this Territory, on account of great scarcity of game, have suffered much for want of food during the past summer, and must suffer still more during the coming winter, unless provision is made for their subsistence. They will require an expenditure for provisions alone of at least $1,500 per month at the Albiquiú agency, and $1,200 per month at the Cimarron agency. The goods, I am happy to inform you, have just arrived, with the exception of the traps, and I am now making arrangements to divide and send them out to the agencies for distribution. They will be of great service to these Indians, and no doubt will be thankfully received. And, as the quantity is much greater

than they have been in the habit of receiving for the last two or three years, their dissatisfaction will be much abated.

If the Utes and Apaches are settled on the grant known as Rayada, they will require an appropriation of $15,000 for provisions, $8,000 for goods and presents, and $2,000 for the purchase of agricultural implements; and, in the course of two years, I think they would be self-sustaining. But, if divided and sent, the Apaches south of Fort Stanton and the Utes to the San Juan, it will require an additional appropriation of at least $30,000 for their removal and location on such reservations, to be divided between the tribes *pro rata;* and it will probably be three years before they will there be able to raise what grain they may require for food.

The Capote and Wemenuche Utahs, if placed on a reservation on the San Juan, will require an appropriation of $18,000 for provisions, $10,000 for goods and presents, $3,000 for agricultural implements, $4,500 for agency buildings, and $4,500 for their removal and location.

For the permanent settlement of the Mescalero Apaches, I recommend an appropriation of $4,500 worth of goods and presents, $6,000 for provisions, $750 for agricultural implements, $2,750 for removal and location, $3,500 for agency buildings—total, $17,500—and I think that in three years they will be self-sustaining and need no further appropriation, except for goods and agricultural implements.

For the permanent settlement of the Mimbres and Mogollon Apaches, I recommend an appropriation of $15,000 for provisions, $7,000 for goods, $2,000 for agricultural implements, and $3,000 for agency buildings, and have no doubt that, in less than three years, they will be enabled to raise all the grain needed for their own bread, and after that only an appropriation for the purchase of goods and agricultural implements would be necessary.

Finally, in addition to the foregoing, I recommend an appropriation of $14,000 for the increased expenses of the Indian service of this Territory, making the total amount for all the Indians outside of the Navajos of $160,000. It is not intended nor expected by me that these appropriations for provisions asked for will alone sustain these Indians, but I do expect and have every reason to believe that, if properly managed, they will satisfy their wants and hunger, when taken in connection and together with the fruits they may gather, the vegetables and grain they may raise, and the game they may be able to kill on the reservations proposed and in their respective neighborhoods, especially if said reservations are selec ed with a view to the accomplishment of this object.

These appropriations, as suggested, amount in the aggregate to $160,000, an average of $10 66 to each Indian. The different tribes for whom these appropriations are asked number about as follows, not including the Navajos:

Pueblos, - - - - - -	7,000
Mimbres and Mogollon Apaches, - -	1,500
Comanches, - - - - -	2,000
Capote and Wemenuche Utahs at Albiquiú, -	2,500
Utes and Apaches Cimarron, - - -	1,500
Mescalero Apaches, - - - -	525
Total, - - - - - -	15,000

The Comanches have never heretofore been under the control o:

this superintendency. There has been no appropriation for the benefit of the Pueblos for the last ten years, nor have the Gila Apaches received any portion of the appropriations for the last four years. Deduct, then, the appropriations asked for the benefit of these three tribes, $63,000, and you have $97,000 as the appropriation required for the same Indians for whom $50,000 has heretofore been appropriated.

These appropriations, as recommended in this report, may seem extravagant. Compared with the annual appropriations heretofore made for the benefit of the Indians of this Territory, they are large, but when we take into account the greatly advanced prices of goods and provisions; when we take into consideration that here are 15,000 Indians, outside of the Navajos, for whom only $50,000 is appropriated—only three dollars and one-third for each Indian, which one of them would eat up in three days or wear out on his back in three weeks—which is not over one-third as much as is appropriated to the same number of peaceable Indians anywhere else on the continent. When we reflect that the parsimonious course of the Government has been such with reference to these Indians that they have been compelled, in order to save their own lives, and the lives of their wives and their little ones, to rob and steal from the flocks and herds of the citizens, until the unpaid and unprovided for claims against the Government amount to millions of dollars—until many of the best and wealthiest citizens are rendered penniless on account of this Indian pillage—and until but few are left who have any more to steal—and until it is unsafe to go out, even five miles, from Santa Fé, the capital of the Territory, unarmed and unprotected—I say, when we take into consideration these facts, we must come to the conclusion that these appropriations are no larger than necessary, and that a more liberal and different policy must be inaugurated and pursued toward these Indians, or the most serious consequences must be the inevitable result. I am aware that it is the general custom of Superintendents and Agents to represent everything peaceable and satisfactory within their jurisdiction; but I have rather chosen to give you a plain and unvarnished account of the true condition of Indians and Indian affairs in this Territory. And, although it is not flattering to myself nor to your Department, yet it is best that the truth should be told at once, and that you should be placed in possession of all the facts necessary to guide you in your action with reference thereto—far better than that you should, by silence on my part, be led to the formation of erroneous opinions and lulled into a fatal security with reference to the necessities and dispositions of these Indians, and as to the course and policy necessary to pursue for the relief of this people and for the preservation of their lives and property.

I am aware that in this Superintendency, for the last few years, the expenditures have exceeded the appropriations, and that a debt of $32,966 78 has been accumulated. And, on account of the smallness of the appropriation for this year—and, on account of the great necessities of the Indians, both for food and raiment—I would respectfully request, and urge your approval thereof, that no part of this year's appropriation be diverted and taken or applied to the payment of this old indebtedness; but that an appropriation be made by Congress, at an early day in the coming session, to cover and pay off this deficiency.

In conclusion, I cannot but express the hope that the suggestions and recommendations made in this report will meet with the approval of your Department, and that the necessary action on the part of Congress will be taken, so that the policy herein recommended may be put into successful operation. If, however, the reservation system as herein set forth is not adopted, the appropriations needed will be the same as recommended, with the exception of the amounts required for removal of Indians, for agricultural implements, and agency buildings on the different suggesed reservations.

A. B. NORTON,
Superintendent Indian Affairs, New Mexico.

Hon. D. N. COOLEY,
Commissioner of Indian Affairs.

Hon. Manuel Sanchez moved that the communication together with the report be sent to the Secretary of the Territory to be printed.

Agreed to.

On motion of Hon. Jose Antonio Torres the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, DECEMBER 14, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Hon. Manuel Herrera moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
December 14, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

Sir—I have the honor to submit for your advice and consent the following named persons for the Territorial offices of this Territory, to fill vacancies which occur on the 8th day of February, 1867, viz:

Stephen B. Elkins—Attorney General of the Territory of New Mexico.

Theodore S. Greiner—District Attorney for the 2d judicial District.

James M. Taylor—District Attorney for the 3d judicial District.

Anastacio Sandoval—Auditor of Public Accounts.

Simon Delgado—Territorial Treasurer.

I also ask your advice and consent to the appointment of Trinidad Alarid as Territorial Librarian, to take effect at once, as the present Librarian has left Sante Fe for Pinos Altos.

I remain, very respectfully,

Your obedient servant,

W. F. M. ARNY,

On motion of Hon. Manuel de Herrera the communication was received.

The Council then proceeded to act upon the appointments of his Excellency the Governor.

Hon. Manuel Herrera moved that the appointment of Mr. S. B. Elkins as Attorney General be confirmed by the Council.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 9—noes 0.

In the affirmative voted—

Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Antonio Maria Pacheco, Manuel de Herrera, and the President.

In the negative none.

Therefore Mr. S. B. Elkins was unanimously confirmed by the Council as Attorney General of New Mexico.

Hon. Manuel Sanchez moved that Theodore S. Greinor be confirmed as District Attorney for the 2d judicial district.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 9.—noes 0.

In the affirmative voted Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Manuel Sanchez, Guadalupe Perea, Jose Antonio Torres, Antonio Guadalupe Cordova, Manuel de Herrera and the President.

In the negative none voted.

Therefore Mr. Theodore S. Greiner was unanimously confirmed by the Council as District Attorney for the 2d judicial district.

Hon. Manuel Sanchez moved that the appointment of Mr. James M. Taylor as District Attorney for the 3d judicial district be confirmed.

Hon Rafael Chacon moved to refer the nomination to the standing committee on Territorial Affairs.

Agreed to.

Hon. Manuel de Herrera moved that the appointment of Anastacio Sandoval as Auditor be confirmed by the Council.

The question was put, the roll was called and the result was as follows:

Ayes 9—noes 0.

In the affirmative voted Hons. Manuel Barela, Antonio Maria Pacheco, Guadalupe Perea, Manuel Sanchez, José Antonio Torres, Antonio Guadalupe Cordova, Pascual Martinez and Manuel de Herrera.

In the negative none.

Therefore Mr. Anastacio Sandoval was unanimously confirmed as Territorial Auditor.

Hon. Manuel Sanchez moved that the appointment of Mr. Simon Delgado as Territorial Treasurer be confirmed by the Council.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows to wit:

Ayes 9—noes 0.

In the affirmative voted Honorables Rafael Chacon, Manuel Barela, Guadalupe Perea, Manuel Sanchez, Antonio Guadalupe Cordova, José Antonio Torres, Manuel de Herrera, Pascual Martinez and Antonio Maria Pacheco.

In the negative none.

Therefore Mr. Simon Delgado was unanimously confirmed by the Council as Territorial Treasurer.

Hon. Manuel de Herrera moved that the appointment of Trinidad Alarid as Territorial Librarian be confirmed by the Council.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 9—noes 0.

In the affirmative voted Hons. Rafael Chacon, Manuel Barela, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Antonio Guadalupe Cordova, Manuel Herrera, Pascual Martinez and Antonio Maria Pacheco.

In the negative none.

Therefore Mr. Trinidad Alarid was unanimously confirmed by the Council as Territorial Librarian.

Hon. Rafael Chacon moved that the Chief Clerk of this body be required to inform His Excellency the acting Governor W. F. M. Arny of the appointments confirmed by this Hon. Body.

Agreed to.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of Hon. Guadalupe Perea the Council adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, DECEMBER 15, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, and José Antonio Torres of Socorro.

The President absent on account of sickness.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Hon. Guadalupe Perea asked to be excused on account of sickness.

Leave was granted.

Bills and joint resolutions were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Petitions and memorials were announced in order by the President.

Hon. Manuel de Herrera introduced—

A memorial requesting the Congress of the United States to appoint a commission to investigate the claims for losses sustained by our citizens during the rebel invasion of this Territory, and make an appropriation to indemnify them for the same.

Was read the first time.

On motion of Mr. Manuel Herrera the rules were suspended and the memorial

Was read the second time.

On motion of Mr. Manuel Sanchez the rules were suspended and the memorial

Was read the third time.

Hon. M. Herrera moved the passage of the memorial.

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 8—noes 0.

In the affirmative voted Hons. Rafael Chacon, Antonio G. Cordova, Manuel Herrera, Pascual Martinez, Manuel Sanchez, Jose Antonio Torres, Antonio Maria Pacheco and Manuel Barela.

In the negative none.

Therefore the memorial passed.

Hon. Manuel Sanchez moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from the Probate Judge of the county of Valencia was read as follows:

Extract of the Indian depredations in the county of Valencia in the year 1866.

A report was forwarded to me by the justice of the peace of the precinct of Cubero, stating that in the month of February, 1866, the Navajo Indians drove off from that place one thousand six hundred and fifty-four head of sheep, fifteen goats, eight head of cattle and eight horses, the owners live in Cubero, killed one boy and wounded another.

In the same month the Apache Indians stole from Francisco A. Chaves of Valencia four mares and five mules; from Anastacio Castillo two horses; from Juan Aragon two horses and one mule; from Jesus Baca one horse, from Francisco A. Chavez four cows and eight more of some other persons in Valencia. In the same month they stole six animals from Juan Chaves in Casa Colorado, and one horse from another person in the same place.

In the month of July last, the Navajo Indians killed Don Jesus Pino and two boys in the vicinity of Rito, and drove off his herd—I do not know the number.

In the month of October last, a party of Indians believed to be Apaches, killed one horse belonging to Don Francisco A. Chaves; they also drove off one horse belonging to Dionicio Chaves, another of José Vigil and a mare of Ramon Vigil, and about the same time killed two men on their way from Manzano to Valencia.

I certify that the foregoing is a true extract of the depredations committed by Indians in this county of Valen-

cia during the year 1866, according to the reports forwarded to me.

In witness whereof I have hereunto set my hand and the seal of the probate court of the county of Valencia this 24th day of November, 1866.

[L. S.]

JESUS MA. LUNA Y BACA,
Probate Judge.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, DECEMBER 17, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

The President of the Council being absent on account of sickness, Hon. Jose Antonio Torres took the seat of President and called the Council to order.

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera and Antonio Maria Pacheco.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

A message from his Excellency the Governor was received.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

Hon. Manuel de Herrera introduced—

An act incorporating the Montezuma Mining Company.

Was read the first time.

Hon. Manuel Herrera moved to suspend the rules to introduce a memorial.

Agreed to.

Hon. Manuel de Herrera introduced—

A memorial to the Congress of the United States asking that a law be passed giving a title to the actual settlers on the land known as the "Rio Grande Grant," in the county of Taos, and not confirm the old land grant, the conditions of which have not been complied with except by the present settlers.

Was read the first time.

On motion of Hon. Jesus Maria Silva the rules were suspended and the memorial

Was read the second time.

Hon. Pascual Martinez in the chair.

The Hon. Vice President took the floor in favor of the memorial.

The Vice-president in the chair.

On motion of Hon. Manuel de Herrera the memorial was referred to the standing committee on Mines and Waste Lands.

Hon. Manuel Sanchez moved to suspend the rules to introduce a special resolution of the Council.

The motion was adopted.

Hon. Manuel Sanchez introduced the following preamble and resolution:

Whereas the Council of the Legislative Assembly of the Territory of New Mexico has received reliable and undoubted information that Brevet Brigadier General James H. Carleton commanding this district, Brevet Col. Nelson H. Davis, Inspector General, Brevet Lieut. Col. A. B. Carey and others, have used their military position to obtain from a few poor persons in Taos county a certain claim to an old Spanish grant known as the "Rio Grande Grant," for which they paid less than two hundred dollars to a few poor, ignorant persons; and

Whereas the said parties by their operations have attempted to get for an inadequate sum lands which have been occupied by between two and three thousand persons and their ancestors nearly one hundred years; and

Whereas said parties have by so doing perverted the object for which they were sent to this country, and instead of protecting our people have sought to despoil several thousand of them of lands worth a half million of dollars; therefore

Resolved, That the Hon. E. M. Stanton, Secretary of

War, and General U. S. Grant, commanding the armies of the United States, be and they are hereby requested to relieve the said officers from duty in this Territory and to cause an investigation in regard to their official conduct.

Resolved further, That the Hon. W. F. M. Arny, Secretary and acting Governor, be and is hereby requested to forward to the Hon. Secretary of War and General U. S. Grant, copies of the foregoing with copies of the memorial adopted in relation to the removal of Brigadier General James H. Carleton by the last Legislature, which we hereby endorse.

Was read the first time.

Hon. Manuel Sanchez moved the passage of the resolutions.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 7—noes 0.

In the affirmative voted—

Hons. Rafael Chacon, Manuel Barela, Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Antonio Maria Pacheco, and Manuel de Herrera.

In the negative none.

Therefore the resolutions passed.

Hon. Antonio Maria Pacheco moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
December 17, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR—I would very respectfully ask you to permit me to withdraw the name of Mr. James M. Taylor and recommend in its place the name of Mr. Thomas B. Catron, and reqnest your advice and consent to commission him as District Attorney for the 3d. Judicial District of this Territory.

I remain, very respectfully,
Your obedient servant,
W. F. M. ARNY,

On motion of Hon. Manuel de Herrera the communication from His Excellency the acting Governor was received and referred to the standing committee on Territorial Affairs.

On motion of Hon. Manuel Sanchez, the Council adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, DECEMBER 18, 1866.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Manuel Barela of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Hon. Manuel Sanchez announced that Hon. Miguel E. Pino, President of the Council was sick and asked to be excused from to-day's session.

Agreed to.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

A message from the House was announced and received.

Reports of standing committees were announced in order by the President.

Hon. Manuel de Herrera made the following report:

MR. PRESIDENT:—

The standing committee on Mines and Waste Lands to which was referred—

A memorial to the Congress of the United States.

Has had the same under consideration, and believing it

just and necessary, return it without any amendments and recommends its passage.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

Hon. Jesus Maria Silva in the chair.

Hon. Jose Antonio Torres made the following report:

MR. PRESIDENT—

The standing committee on Territorial Affairs to which was referred—

A communication from His Excellency the Governor on the nomination of the District Attorney for the Third Judicial District of this Territory has had the same under consideration and recommends the confirmation of Mr. Thomas B. Catron, subject to the consideration of the Council.

JOSE A. TORRES,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Mr. Thomas B. Catron was proposed to be confirmed by the Council as District Attorney for the Third Judicial District of the Territory of Mew Mexico.

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 7—noes 0.

In the affirmative voted Hons. Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Pascual Martinez, Manuel Herrera and Antonio Maria Pacheco.

In the negative none.

Therefore Mr. Thomas B. Catron was unanimously confirmed by the Council as District Attorney for the 3d judicial district.

Hon. vice president in the chair.

Hon. Manuel Herrera moved that the Chief Clerk of this body be required to inform His Excellency the acting Governor W. F. M. Arny of the appointment confirmed by this Hon. Body.

Agreed to.

Bills in their second reading were announced in order by the President.

An act incorporating the Montezuma Mining Company.

Was read the second time.

On motion of M. Manuel de Herrera the act was referred to the committee on Mines and Waste Lands.

Bills in their third reading were announced in order by the President.

A memorial to the Congress of the United States relative to the Rio Grande Grant.

Was read the third time.

On motion the memorial passed.

Hon. Pascual Martinez moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES,
December 17th, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

Sir—I have the honor to inform your honorable body

that the House of Representatives has to-day passed the following resolutions:

Resolved, That a joint committee be appointed consisting of five members, three from the House of Representatives and two from the Council to investigate and give their report to their respective houses, whether the laws of the Territory not published in the revised code, and published in conformity with an act approved January 24, 1865 are in force and effect. Messrs. Benjamin Stevens, Buenaventura Lobato and Vicente Garcia are the members appointed from this House on the matter.

Very respectfully your obt. serv't,
NICOLAS QUINTÁNA,
Chief Clerk House of Reps.

On motion of Hon. Pascual Martinez the communication was received.

On motion of Hon. Manuel Herrera the communication was referred to the standing committee on the Library.

On motion of Hon. Pascual Martinez the Council adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, DECEMBER 19, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

The Vice President annonnced that Hon. Miguel Pino was sick and requested to be excused from attending today's session.

Agreed to.

Hon. Manuel Sanchez moved that the rules be suspended to present a special resolution of the Council out of its order.

Agreed to.

Hon. Manuel Sanchez presented the following resolution:

Resolved, That the Chief Clerk of the Council be and is hereby directed to forward to the Hon. House of Representatives the memorial unanimously adopted by this body in regard to the Rio Grande Land Grant and respectfully ask their concurrence in the same.

On motion of Hon. Manuel Barela the resolution was adopted.

Bills and joint resolutions were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Petitions and memorials were announced in order by the President.

None.

Hon. Jesus Ma. Silva made the following report:

MR. PRESIDENT:—

The standing committee on Library to which was referred—

A communication and resolution from the House of Representatives.

Has had the same under consideration, and believing it useless and unnecessary recommend that it be returned to the House with the information that this body did not concur in its adoption.

JESUS MARIA SILVA,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, DECEMBER 20, 1866.

The Council met pursuant to adjourment.

Hon. Jose Antonio Torres, vice president, called the Council to order, the President being absent on account of sickness.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Hon. Vicente Aragon member of the Council from the county of Rio Arriba made his appearance before this body and took his seat as member of the Legislative Council.

Hon. Pascual Martinez moved that the name of Hon. Vicente Aragon be inserted in the roll with the names of the other members.

Agreed to.

The Hon. Vice President called the order of the day.

Hon. Manuel Sanchez offe.ed the following resolution to wit:

Resolved, That the Hon. W. F. M. Arny, Secretary of the Territory, be and he is hereby requested to furnish twenty copies weekly of the "New Mexican" newspaper, published in this city, for the use of the members of this body.

On motion of Hon. Manuel Sanchez the resolution was adopted.

Hon. Jesus Maria Silva moved that the rules be suspended to introduce a memorial.

The motion was adopted.

Hon. Jesus Maria Silva introduced—

A memorial to the Congress of the United States asking for an appropriation to complete the capitol and penitentiary.

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the memorial read the second time.

Agreed to.

The memorial was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to the committee on Public Property.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, DECEMBER 21, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

The President absent on account of sickness.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Hon. Guadalupe Perea asked to be excused on account of sickness.

Leave was granted.

A message from the House of Representatives was announced and received.

Hon. Manuel Sanchez moved that the rules be suspended to introduce a memorial out of order.

Agreed to.

Hon. Manuel Sanchez introduced—

A memorial to the Congress of the United States relative to Indian depredations, and asking an appropriation to ndemnify the losses sustained by our citizens from that cause.

Was read the first time.

On motion of Mr. Manuel Sanchez the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Manuel de Herrera the memorial was referred to the standing committee on Territorial Affairs.

Hon. Manuel Sanchez introduced—

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

Was read the first time.

On motion of Mr. Manuel Herrera the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to the standing committee on Internal Improvements.

A message from the House of Representatives was announced and received.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Antonio M. Pacheco moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act legitimizing Maria Ursula and José Francisco Salas, children of Luciano Ortega and Maria Sension Gonzalez.

Originated in the House of Representatives.

Was read the first time.

On motion of Han. A. M. Pacheco the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to a special committee of three.

The committee was composed of the following members:

Hons. Rafael Chacon, Antonio Maria Pacheco and Vicente Aragon.

An act providing for the erection of monument over the graves of soldiers.

Originated in the House of Representatives.

Hon. Antonio Maria Pacheco moved that the rules be suspended and the act read the second times.

The motion was not adopted.

On motion of Hon. Jose Antonio Torres the Council adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, DECEMBER 22, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Hon. Manuel de Herrera announced to the Council that Hon. Rafael Lucero y Mestas, member of this body from the county of San Miguel, was present and Mr. Lucero presented his credentials.

On motion of Mr. Man'l Herrera the credentials were referred to a special committee of three.

The committee appointed by the President was composed as follows:

Hons. Manuel de Herrera, Antonio G. Cordova and Jesus Ma. Silva.

The committee retired and after a short absence returned and reported as follows:

MR. PRESIDENT:

The special committee to which were referred the credentials of Hon. Rafael Lucero y Mestas, member elect to fill the vacancy caused by the resignation of Don Manuel Barela from the county of San Miguel, has had the same under consideration and found them correct, and recommend that he be admitted as a member of this honorable body.

JESUS MARIA SILVA,
Chairman of the committee.

On motion of Hon. Rafael Chacon the report of the committee was adopted.

Hon. Manuel Sanchez moved that a committee of three members be appointed for the purpose of requesting the Chief Justice of the Territory to come and administer the oath of office to Mr. Rafael Lucero y Mestas.

The motion was adopted.

The committee was composed of the following members:

Hons. Manuel Sanchez, Vicente Aragon and Jesus Maria Silva.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The committee having returned, the Council was called to order and the committee reported through its president that the Chief Justice was present, who proceeded to administer the oath of office to Mr. Lucero y Mestas as a member of the Council from the county of San Miguel.

Hon. Manuel Sanchez moved that the Council adjourn until Wednesday the 26th inst.

Not agreed to.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act legitimizing Maria Ursula and José Francisco Salas, children of Luciano Ortega and Maria Sension Gonzalez.

Has had the same under consideration, and believing it useful and necessary recommend that it be adopted.

RAFAEL CHACON,
Chairman of the committee.

Hon. Manuel de Herrera movod that the act be referred to the standing committee on the Judiciary.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows to wit:

Ayes 8—noes 3.

In the affirmative voted Honorables Rafael Chacon, Vicente Aragon, Antonio Guadalupe Cordova, Pascual Martinez, Antonio Maria Pacheco, Jesus Maria Silva and José Antonio Torres.

In the negative voted Hons. Manuel de Herrera, Manuel Sanchez and Rafael Lucero y Mestas.

Therefore the act was not referred.

Hon. Rafael Chacon moved that the report of the committee be adopted.

Agreed to.

Hon. Manuel Sanchez moved that the Council adjourn until Wednesday the 26th inst.

Not agreed to.

Hon. Rafael Chacon moved that the act be read the third time.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 7—noes 3.

In the affirmative voted Hons. Rafael Chacon, Vicente Aragon, Antonio Guadalupe Cordova, Pascual Martinez, Antonio Maria Pacheco, Jesus Maria Silva and Jose Antonio Torres.

In the negative voted Hons. Manuel Herrera, Manuel Sanchez and Rafael Lucero y Mestas.

Therefore the rules were suspended and the act

Was read the third time.

Hon. Rafael Chacon moved the passage of the actr

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 7—noes 3.

In the affirmative voted Hons. Rafael Chacon, Vicente Aragon, Antonio Guadalupe Cordova, Pascual Martinez, Antonio Maria Pacheco, Jesus Maria Silva, and José Antonio Torres.

In the negative voted Hons. Manuel de Herrera, Manuel Sanchez and Rafael Lucero y Mestas.

Therefore the act passed.

On motion of Hon. Pascual Martinez the Council adjourned until Wednesday at 10 o'clock, A. M.

WEDNESDAY, DECEMBER 26, 1866.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Hon. Manuel de Herrera moved the reconsideration of his vote on the passage of

An act legitimizing Francisco Salas and Maria Ursula children of Luciana Ortega and Sension Gonzales.

The reconsideration being granted, his vote was recorded in the negative.

The President announced to the Council that the name of Hon. Rafael Lucero y Mestas had been inserted in the roll of standing committees in the place of Hon. Manuel Barela.

Bills in their second reading were announced in order by the President.

An act providing for the erection of monuments over the graves of soldiers.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to the committee on Public Property.

Hon. Manuel Herrera moved to take a recess for ten minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. Antonio Maria Pacheco moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act authorizing the President of the Council and the Speaker of the House to administer oaths.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the seeond time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Judiciary.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, DECEMBER 27, 1866.

The Council met pursuant to adjourment.

Hon. Jose Antonio Torres, vice president, called the Council to order, the President being absent on account of sickness.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Jose Antonio Torres made the following report:

MR. PRESIDENT—

The standing committee on Territorial Affairs to which was referred—

A memorial to the Congress of the United States relative to Indian depredations, and asking an appropriation to indemnify the losses sustained by our citizens from that cause.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

JOSE A. TORRES,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Jesus Ma. Silva made the following report:

MR. PRESIDENT:—

The committee on Public Property to which was referred—

A memorial to the Congress of the United States ask-

ing for an appropriation to complete the capitol and penitentiary.

Has had the same under consideration and believing it useful and necessary returns it without amendment and recommends its adoption.

JESUS MARIA SILVA,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Antonio Ma. Pacheco made the following report:

MR. PRESIDENT:—

The standing committee on Internal Improvements to which was referred—

A memorial to the Congress of the United States.

Has had the same under consideration and believing it useful and necessary returns it to the Council recommending its passage.

ANTONIO MARIA PACHECO,
Chairman of the committee.

On motion of Hon. José Antonio Torres the report was adopted.

Bills in their third reading were announced in order by the President.

A memorial to the Congress of the United States relative to Indian depredations.

Originated in the Council.

Was read the third time and passed.

A memorial to the Congress of the United States asking an appropriation to complete the capital and penitentiary.

Originated in the Council,

Was read the third time.

Upon the passage of the memorial—

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 7—noes 0.

In the affirmative voted Hons. Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Pascual Martinez, Manuel Herrera and Antonio Maria Pacheco.

Therefore the memorial passed.

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

Originated in the Council.

Was read the third time.

On motion of Hon. Rafael Chacon the memorial was referred to a special committee of three.

The committee was composed of the following members:

Hons. Rafael Chacon, Vicente Aragon and Rafael Lucero.

Hon. Antonio M. Pacheco moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act concerning mines.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Manuel Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the memorial was referred to the standing committee on Mines and Waste Lands.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, DECEMBER 28, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

Hon. Guadalupe Perea asked to be excused on account of sickness.

Leave was granted.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

A memorial to the Honorable Secretary of the Treasury of the United States.

Returns it with the amendment "United" before the word "States" at the head of the memorial.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

The memorial so amended passed.

Introduction of bills and joint resolutions was announced in order.

Hon. Rafael Chacon then introduced—

A joint resolution relative to adjourn both Houses *sine die* for various reasons.

Was read the first time.

Hon. Manuel Sanchez introduced the following memorial:

A memorial in regard to common schools.

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the memorial read the second time.

Agreed to.

The memorial was read the second time.

On motion of Hon. Manuel Herrera the memorial

was referred to the standing committee on Education.

On motion of Hon. Jose Antonio Torres the Council adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, DECEMBER 29, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

The President annonnced that Hon. Rafael Chacon was sick and requested to be excused from attending today's session.

Agreed to.

Introduction of bills and joint resolutions was announced in order.

Hon. Manuel de Herrera introduced—

An act amending in part the criminal law.

Was read the first time.

On motion of Hon. Man'l Herrera the rules were suspended and the act

Was read the second time.

Bills in their second reading were announced in order by the President.

A joint resolution relative to the final adjournment of the Legislative Assembly.

Was read the second time.

Hon. Manuel de Herrera moved that the resolution be referred to a special committee.

Hon. Jesus Maria Silva in the chair.

Hon. José Antonio Torres moved that the resolution be laid on the table indefinitely.

The ayes and noes were called upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 5 —noes 5.

In the affirmative voted Hons. Pascual Martinez, Guadalupe Perea, Jose Antonio Torres, Manuel Sanchez, and Rafael Lucero y Mestas.

In the negative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, Manuel de Herrera, Jesus Maria Silva and Antonio Maria Pacheco.

The vote being a tie the motion was not adopted.

The resolution was not laid on the table indefinitely.

On the motion to refer the resolution to a committee.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 8—noes 3.

In the affirmative voted—

Hons. Vicente Aragon, Antonio G. Cordova, Manuel Herrera, Pascual Martinez, Guadalupe Perea, Antonio Maria Pacheco, Jesus MariaSilva and Manuel Sanchez.

In the negative voted—

Hons. Jose Antonio Torres, Rafael Chacon and Rafael Lucero.

Therefore the resolution was referred to a special committee.

The Vice-President in the chair.

The President appointed in said committee the following members:

Hons. Manuel Herrera. Antonio Maria Pacheco and Pascual Martinez.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, DECEMBER 31, 1866.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Vicente Aragon of Rio Arriba and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Education to which was refered,

A memorial to the Hon. Congress of the United States.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Jose A. Torres the report of the committee was adopted.

Introduction of bills and oint jresolutions was announced in order.

Hon. Manuel Sanchez introduced—

An act amending the law on weights and measures, and requiring the discharge ef certain duties.

Was read the first time.

The vice president in the chair.

Hon. Miguel E. Pino introduced—

An act to maintain a police in the county of Santa Fe.

Was read the first time.

On motion of Hon. Miguel Pino the rules were suspended and the act

Was read the second time.

Hon. Manuel Herrera moved to suspend the rules to read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Bills and resolutions in their second reading were announced in order.

An act amending in part the criminal law.

Originated in the Council.

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The committee was composed of the following members:

Hons. Manuel de Herrera, Manuel Sanchez and Antonio Guadalupe Cordova.

Bills and joint resolutions in their second reading were announced in order.

A memorial relative to common schools.

Originated in the Council.

Was read the third time.

On motion the memorial passed.

Hon. Manuel Sanchez moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from the Probate Judge of San Miguel county was read as follows:

OFFICE OF THE PROBATE COURT,
LAS VEGAS, N. M., December 18th, 1866.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I have the honor to forward to your honorable body, the reports of the depredations committed by savage Indians, (said reports made by some of the justices of the peace, etc.) and are as follows:

A report was forwarded to me by Francisco Aragon, stating that on the 29th day of the month of May, this year, some twenty Navajo Indians drove off two hundred sheep, more or less, belonging to Ynez Perea, and one horse, one mule, value not reported.

Another report made to me by the justice of the peace of precinct 5, states that in the month of September last a party of Indians, tribe not known, drove of some twenty horses belonging to persons in Las Vegas.

Guadalupe Gallegos reported to me that on the 21st of May last a party of Navajo Indians were found in the vicinity of Colonias de San Jose; that party of Indians killed Francisco Antonio Martinez and Agapito Salazar, killed two oxen, owners unknown, and drove off many horses and cattle.

These are the reports as made to me and which I forward to your honorable body. I have not forwarded them sooner as they were made very late.

Very respectfully your ob't serv't,
ANTONIO BACA Y BACA,
Probate Judge.

J. L. RIVERA,
Probate Clerk.

On motion of Hon. José Anto. Torres the communication was received.

A message from the House of Representatives was announced and received.

On motion of Hon. Miguel E. Pino the communication together with the one from the probate judge of Valencia county was referred to the standing committee on Indian Affairs.

Bills in their second reading were announced in order by the President.

None.

On motion of Hon. Rafael Lucero the Council adjourned until Wednesday at 10 o'clock, A. M.

WEDNESDAY, JANUARY 2, 1867.

The Council met pursuant to adjournment.

Hon. Jose Antonio Torres, vice president, called the Council to order, the President being absent on account of sickness.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

Hon. Antonio Guadalupe Cordova in the chair.

Hon. José Antonio Torres introduced—

An act declaring the adoption of David Apodaca.

Was read the first time.

On motion of Mr. Manuel Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The committee was composed of the following members:

Hons. Manuel de Herrera, Manuel Sanchez and Antonio Guadalupe Cordova.

The vice president in the chair.

Hon. Pascual Martinez in the chair.

Hon. Jose Antonio Torres introduced—

An act declaring the adoption of Maria Rosario Trujillo.

Was read the first time.

On motion of Hon. J. A. Torres the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Judiciary.

Bills and joint resolutions in their second reading were announced in order.

An act amending the law on weights and measures, and requiring the discharge ef certain duties.

Originated in the Council.

Was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to a special committee of three.

The committee was composed of the following members:

Hons. Rafael Chacon, Vicente Aragon and Rafael Lucero.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, JANUARY 3, 1867.

The Council met pursuant to adjourment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

Hon. Manuel de Herrera made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act declaring the adoption of David Apodaca.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

Special resolutions of the Council were announced in order.

Hon. Manuel Sanchez introduced—

Resolved by the Legislative Council of the Territory of New Mexico, That Hon. W. F. M. Arny, Secretary of the Territory, be and he is hereby requested to furnish this honorable body with postage stamps or stamp envelopes for the use of the members, and that the chief clerk

be instructed to forward a copy of this resolution to the Secretary.

On motion of Hon. Manuel de Herrera the resolution was adopted.

Hon. Rafael Lucero moved that the rules be suspended to introduce an act out of order.

The motion was adopted.

Hon. Rafael Lucero y Mestas introduced—

An act increasing precinct No. 14 of the county of San Miguel.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

Hon. Manuel de Herrera moved that the resolution be referred to a special committee.

Agreed to.

The President appointed in said committee the following members:

Hons. Manuel Herrera. Antonio Maria Pacheco and Pascual Martinez.

Bills in their third reading were announced in order by the President.

An act declaring the adoption of David Apodaca.

Originated in the Council.

Was read the third time.

On motion the act passed.

Hon. Manuel Herrera moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act entitled an act relative to a public acequia of the Rio Chiquito precinct No. 3, of the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Pascual Martinez the rules were suspended and the act

Was read the second time.

Hon. Manuel Sanchez moved to refer the act to the standing committee on Roads and Acequias.

The motion was not adopted.

Hon. Antonio Maria Pacheco moved that the rules be suspended and the act read the third times.

Agreed to.

The act was read the third time.

A message from his Excellency the Governor was received.

Hon. Manuel Sanchez moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 8—noes 1.

In the affirmative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, Manuel Herrera, Pascual Martinez, Guadalupe Perea, Jesus Maria Silva, Jose Antonio Torres and Rafael Lucero y Mestas.

In the negative voted Hon. Manuel Sanchez.

Consequently the act passed.

An act changing the county seat of Doña Ana county from La Mesilla to Las Cruces.

Originated in the House of Representatives.

Was read the first time.

A message from the House of Representatives was announced and received.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

On motion of Hon. Vicente Aragon the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, JANUARY 4, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

Hon. Guadalupe Perea asked to be excused on account of sickness.

Leave was granted.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was refered,

An act legitimizing Maria Rosario Trujillo.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Guadalupe Cordova the report of the committee was adopted.

Hon. Jesus Ma. Silva made the following report:

MR. PRESIDENT:—

The committee on Public Property to which was referred—

An act providing for the erection of monuments over the graves of soldiers.

Has had the same under consideration and believing it proper and just, return it with an amendment and recommend its passage.

Amendment—Strike out "Chief Justice" and insert "his Excellency the Governor."

JESUS MARIA SILVA,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Manuel Sanchez made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act increasing precinct 14 in the county of San Miguel.

Has had the same under consideration, and believing it useful and necessary recommend that it be adopted.

MANUEL SANCHEZ,
Chairman of the committee.

On motion of Hon. Manuel de Herrera the report was adopted.

Introduction of bills and joint resolutions was announced in order.

Hon. Manuel Sanchez introduced the following act.

An act providing for the incorporation of literary, debating and other societies.

Was read the first time.

On motion of Man'l Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was ordered to be printed.

Hon. Manuel de Herrera in the chair.

Hon. Jose Antonio Torres introduced—

An act concerning possessory rights in public lands.

Was read the first time.

On motion of Hon. Pascual Martinez the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was ordered printed.

Hon. Jose A. Torres moved that the rules be suspended to introduce a memorial.

Agreed to.

Hon. Jose Antonio Torres then introduced—

A memorial asking an increase of per diem for the members of the Legislative Assembly and an increase of salary of the Territorial officers.

Was read the first time.

On motion of Hon. Jesus Maria Silva the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Manuel Sanchez the memorial was ordered printed.

Bills in their second reading were announced in order by the President.

An act changing the county seat of the county of Doña Ana.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to a select committee of three members.

The committee was composed of the following members:

Hons. Manuel Sanchez, Jesus Maria Silva and Rafael Lucero.

Bills and resolutions in their third reading were announced in order.

An act declaring the adoption of Maria Rosario Trujillo.

Was read the third time and passed.

An act providing for the erection of monuments over the graves of the soldiers who fell at Apache Cañon and Glorieta.

Was read the third time.

Hon. Manuel Herrera moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 3—noes 6.

In the affirmative voted Hons. Manuel de Herrera, Jesus Maria Silva, and Rafael Lucero y Mestas.

In the negative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, Pascual Martinez, Guadalupe Perea Manuel Sanchez and José Antonio Torres.

Therefore the act was not passed.

An act increasing precinct 14 in the county of San Miguel.

Originated in the Council.

Was read the third time.

On motion the act passed.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, JANUARY 5, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of

Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

A message from the House was announced and received.

Bills and joint resolutions in their third readirg were announced in order.

A memorial asking an increase of per diem for the members of the Legislative Assembly and an increase of salary for the Territorial officers.

Originated in the Council.

Was read the third time.

On motion the memorial passed.

An act concerning possessory rights to public lands.

Originated in the Council.

Was read the third time and passed.

An act providing for the incorporation of literary, debating and other societies.

Originated in the Council.

Was read the third time and passed.

On motion of Hon. Manuel Herrera the act was referred to the standing committee on Education.

Hon. Manuel Herrera moved to take a recess for ten minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. Antonio Maria Pacheco moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

Originated in the Council,

The House concurred in in its passage without amenndment.

A memorial requesting the Congress of the United States to appoint a commission to investigate the claims for losses sustained by our citizens during the rebel invasion of this Territory, and make an appropriation to indemnify them for the same.

Was read the third time.

An act legitimizing Maria Ursula and José Francisco Salas, children of Luciano Ortega and Maria Sension Gonzalez.

Originated in the Council.

The House concurred in its passage.

An act providing for vacancies in the office of sheriff, and for other purposes.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Antonio G. Cordova the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The committee appointed by the President was composed as follows:

Hons. Manuel Herrera, Manuel Sanchez and Antonio G. Cordova.

On motion of Hon. Manuel Herrera the Council adjourned until Tuesday at 10 o'clock, A. M.

TUESDAY, JANUARY 8, 1867.

The Council met pursuant to adjournment.

The President of the Council being absent on account of sickness, Hon. Jose Antonio Torres took the seat of President and called the Council to order.

The roll was called and the following members answered to their names, to wit:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera and Antonio Maria Pacheco.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

The Vice President annonnced that Hon. J. M. Silva was sick and requested to be excused from attending today's session.

Agreed to.

Hon. Manuel Sanchez moved that the Council adjourn until Wednesday the 9th inst.

The motion was adopted.

Consequently the Council adjourned until to-morrow at ten o'clock, A. M.

WEDNESDAY, JANUARY 9, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Vicente Aragon of Rio Arriba and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Hon. Manuel de Herrera asked to be excused on account of sickness.

Agreed to.

A message from the House of Representatives was announced and received.

Introduction of bills and joint resolutions was announced in order.

Hon. Manuel Sanchez introduced—

An act concerning probate judges snd clerks of the probate court.

Was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

Hon. Rafael Chacon offered the following amendment:

"And public notice to be given throughout the county."

On motion of Jose A. Torres the amendment was adopted.

On motion of Manuel Sanchez the act was ordered to be printed.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act legitimizing Maria Ursula and José Francisco Salas, children of Luciano Ortega and Maria Sension Gonzalez.

An act entitled an act relative to a public acequia of the Rio Chiquito precinct No. 3, of the county of Taos.

Originated in the House of Representatives.

The President announced having signed the foregoing acts.

Hon. Antonio M. Pacheco moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

A memorial requesting the Congress of the United

States to appoint a commission to investigate the claims for losses sustained by our citizens during the rebel invasion of this Territory, and make an appropriation to indemnify them for the same.

Was read the first time.

On motion of Hon. Jesus Maria Silva the rules were suspended and the memorial

Was read the second time.

On motion of Han. Manuel Sanchez the rules were suspended and the memorial

Was read the third time.

On motion the memorial passed.

A memorial to the Congress of the United States asking that a law be passed giving a title to the actual settlers on the land known as the "Rio Grande Grant," in the county of Taos, and not confirm the old land grant, the conditions of which have not been complied with except by the present settlers.

Originated in the House of Representatives.

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the memorial read the second time.

Agreed to.

The memorial was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to the committee on Judiciary.

A memorial to the Congress of the United States relative to Indian depredations.

Originated in the Council,

The House concurred in in its passage without amennd-ment.

A memorial to the Congress of the United States asking an appropriation to complete the capital and penitentiary.

Originated in the Council.

The House concurred in its passage.

An act to maintain a police in the county of Santa Fe.

Originated in the Council.

The House concurred in its passage without amendment.

An act concerning butchers.

Originated in the House of Representatives.

Was read the first time.

Hon. Pascual Martinez in the chair.

An act concerning the hot springs in precinct No. 11 of the county of Socorro.

Originated in the House of Representatives.

Was read the third time.

A message from the House of Representatives was announced and received.

On motion of Hon. J. A. Torres the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was returned to the House of Representatives to be amended the certificate of the Chief Clerk of that body under his official title, and not as it reads, Chief Clerk of the Council.

The Chief Clerk was instructed to forward the said act together with a communication stating the reason why it was returned.

An act creating a new precinct in the county of San Miguel.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the third time and passed.

An act authorizing the probate judge of Santa Fe to sell certain property.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was referred to the committee on Counties.

An act for the relief of José D. Sena.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to the standing committee on Territorial Affairs.

An act concerning executions.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

Hon. Rafael Chacon moved that the act be referred to a special committee.

Agreed to.

The President appointed in said committee the following members:

Hons. Rafael Chacon, Vicente Aragon and Jose Antonio Torres.

An act for the relief of Levi Spiegelberg.

Originated in the House of Representatives.

Was read the first time.

The President in the chair.

A communication from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES,
January 9th, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I am instructed to inform you that Messrs. Samuel Ellison, Francisco Perea and Benigno Jaramillo have been appointed a committee of conference to conference to confer with another of equal number from the Council in regard to

An act providing for the erection of monuments over the graves of the soldiers who fell at Apache Cañon and Glorieta.

Very respectfully your obt. serv't,
NICOLAS QUINTANA,
Chief Clerk House of Reps.

On motion of Hon. José Anto. Torres the communication was received.

Hon. Rafael Chacon moved that the Council adjourn until to-morrow at 10 o'clock, A. M.

Not agreed to.

Hon. Manuel Sanchez moved that the Council adjourn until Wednesday the 19th inst.

Not agreed to.

An act changing the county seat of Socorro county.

Originated in the House of Representatives.

Was read the first time.

On motion of Man'l Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The committee was composed of the following members:

Hons. Manuel de Herrera, Manuel Sanchez and Antonio Guadalupe Cordova.

An act concerning public acequias at Cañada de los Alamos.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the second time.

On motion of Mr. Torres the rules were suspended and the act

Was read the third time.

On motion the act passed.

On motion of Hon. Manuel Herrera the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, JANUARY 10, 1867.

The Council met pursuant to adjourment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Pascual Martinez introduced—

An act amending an act providing means for the education of children, approved January 28, 1863.

Was read the first time.

On motion of Mr. Martinez the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was ordered printed.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills has the honor to report that the following acts have been signed by the Speaker of the House and the President of the Senate:

An act relative to maintain the police in the county of Santa Fe.

An act declaring the adoption of David Apodaca.

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

All of which was delivered to his Excellency the Governor for his approval.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

The President announced having signed said act and memorial.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was referred—

A memorial relative to the Rio Grande Grant in the county of Taos.

Has had the same under consideration, and finds it was originated in the House of Representatives; the committee reports that this memorial is not a substitute to a memorial originated in the Council on the same subject

and desires to have the original returned to this honorable body for further consideration.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel de Herrera the report was adopted.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was refered,

An act providing for the incorporation of literary, debating and other societies.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Guadalupe Cordova the report of the committee was adopted.

Hon. Jose Antonio Torres made the following report:

MR. PRESIDENT—

The special committee to which was referred—

An act amending the law on weights and measures, and requiring the discharge of certain duties.

Has had the same under consideration and believing it useful and necessary returns it without amendment and recommends its adoption.

JOSE A. TORRES,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Bills in their second reading were announced in order by the President.

An act for the relief of Levi Spiegelberg.

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to the standing committee on Territorial Affairs.

An act concerning butchers.

Was read the second time.

On motion of Hon. Rafael Lucero y Mestas the act was referred to the standing committee on Finance.

Bills and joint resolutions in their third readirg were announced in order.

An act in regard to weights and measures.

Originated in the Council.

Was read the third time.

Hon. Rafael Chacon moved to refer the act to a special committee.

Not agreed to.

Hon. Manuel Sanchez moved the passage of the act.

The motion was adopted.

Therefore the act passed.

An act providing for the incorporation of literary, debating and other societies.

Originated in the Council.

Was read the third time.

On motion the act passed.

Hon. Antonio Maria Pacheco moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act to legitimize a child of Dionicio Dominguez and Juliana Romero.

Was read the first time.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, JANUARY 11, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. José Torres made the following report:

Mr. President:

The standing committee on Territorial Affairs to which was referred—

An act for the relief of Jose D. Sena.

Has had the same under consideration and believing it proper and just, return it with an amendment and recommend its passage.

JOSE ANTONIO TORRES,
Chairman of the committee.

On motion of Hon. Rafael Chacon the report of the committee was adopted.

Hon. Manuel de Herrera made the following report:

Mr. President:—

The special committee to which was referred—

An act amending in part the criminal law.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

Bills in their second reading were announced in order by the President.

Hon. Antonio Guadalupe Cordova in the chair.

An act legitimizing a child born of Dionisio Dominguez and Maria Juliana Romero.

Was read the second time.

On motion of Miguel E. Pino the act was rejected.

Bills and resolutions in their third reading were announced in order.

An act amending the criminal law.

Was read the third time and passed.

An act concerning Jose D. Sena.

Was read the third time and passed.

An act concerning butchers.

Was read the third time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Judiciary.

An act amending an act providing means for the education of children, approved January 28, 1863.

Originated in the Council.

On motion of Hon. Miguel E. Pino the act was referred to a special committee of one member from each county.

A anc relative to the hot springs in precinct No. 11, of the county of Socorro.

Was read the third time and passed.

Hon. Manuel Herrera moved to take a recess for ten minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. José A. Torres moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

A message from the House of Representatives was announced and received.

Hon. Guadalupe Perea moved that the Council adjourn until to morrow at 10 o'clock A. M.

The motion was adopted.

Consequently the Council adjourned until to-morrow at ten o'clock, A. M.

SATURDAY, JANUARY 12, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of standing committees were announced in order by the President.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Counties to which was referred—

An act authorizing the probate judge of the county of Santa Fe to sell certain property.

Has had the same under consideration and returns it to the Council recommending its rejection.

PASCUAL MARTINEZ,
Chairman of the committee.

Hon. Rafael Chacon moved that the report of the committee be adopted.

Agreed to.

The report was adopted and the act rejected.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, JANUARY 14, 1867.

The Council met pursuant to adjournment.

Hon. Jose Antonio Torres, vice president, called the Council to order, the President being absent on account of sickness.

The roll was called and the following members were present, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe

Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

A message from the House was announced and received.

Reports of special committees were announced in order by the President.

Hon. Jesus Maria Silva in the chair.

Mr. José Torres made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act changing the county seat of Socorro county.

Has had the same under consideration and believing it useful and necessary returns it to the Council recommending its passage with a proviso before the second section.

JOSE A. TORRES,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

Hon. Manuel Herrera moved to suspend the rules to read the act the third time.

Agreed to.

Therefore the rules were suspended and the act
Was read the third time and passed.

Bills in their third reading were announced in order by the President.

An act concerning probate judges and clerks of the probate court.

Originated in the Council.

Was read the third time.

The vice president in the chair.

Hon. Rafael Chacon moved the passage of the act.

Hon. Manuel Sanchez in the chair.

The vice president took the floor on the question.

The Vice President in the chair.

On motion of Hon. Manuel Sanchez the Council adjourned until Tuesday at 10 o'clock, A. M.

TUESDAY, JANUARY 15, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Vicente Aragon of Rio Arriba and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

A message from the House of Representatives was announced and received.

Hon. Antonio M. Pacheco moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act declaring the adoption of Maria Rosario Trujillo.

Originated in the Council.

The House concurred in its passage without amendment.

A memorial asking an increase of per diem for the members of the Legislative Assembly and an increase of salary of the Territorial officers.

Originated in the Council.

The House concurred in its passage.

An act to provide means to make a plan for the completion of the capitol.

Originated in the House of Representatives.

Was read the first time.

An act defining the limits of precinct 13 in the county of Bernalillo, and for other purposes.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. J. A. Torres the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was referred to the committee on Counties.

Unfinished business was announced in order.

An act concerning probate judges and clerks of the probate court.

Originated in the Council.

Hon. Rafael Chacon moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 4—noes 6.

In the affirmative voted Hons. Rafael Chacon, Antonio Guadalupe Cordova, Pascual Martinez and Manuel Sanchez.

In the negative voted Hons. Manuel Herrera, Antonio Maria Pacheco, Jesus Maria Silva, Jose Antonio Torres, Rafael Lucero y Mestas and Mr. President.

Therefore the act was not passed.

Hon. Pascual Martinez in the chair.

Hon. Miguel E. Pino moved for a reconsideration.

Hon. Man'l Herrera moved that the Council adjourn until to-morrow at 10 o'clock, A. M.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 7—noes 3.

In the affirmative voted Hons. Manuel de Herrera, Pascual Martinez, Antonio Maria Pacheco, Jesus Maria Sil-

va, José Antonio Torres, Rafael Lucero y Mestas and the President.

In the negative voted Hons. Rafael Chacon, Antonio Guadalupe Cordova, and Manuel Sanchez.

Therefore the Council adjourned until to-morrow at 10 o'clock, A. M.

WEDNESDAY, JANUARY 16, 1867.

The Council met pursuant to adjourment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

A message from the House of Representatives was announced and received.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of standing committees were announced in order by the President.

Hon. Manuel de Herrera made the following report:

MR. PRESIDENT:—

The standing committee on Mines and Waste Lands to which was referred—

An act incorporating the Montezuma Mining Company.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

Hon. José Torres made the following report:

Mr. PRESIDENT:

The standing committee on Territorial Affairs to which was referred—

An act for the relief of Levi Spiegelberg.

Has had the same under consideration and believing it proper and just, return it without amendment and recommend its passage.

JOSE ANTONIO TORRES,
Chairman of the committee.

On motion of Hon. Rafael Chacon the report of the committee was adopted.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act creating a new precinct in the county of San Miguel.

An act concerning the hot springs in precinct No. 11 of the county of Socorro.

An act for the relief of José D. Sena.

Originated in the House of Representatives.

The President announced having signed the foregoing acts.

Hon. Manuel de Herrera in the chair.

Hon. Rafael Chacon then introduced—

An act to secure certain real estate in the county of Taos known as the "Rio Grande Grant."

Was read the first time.

The President in the chair.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the second time.

The vice president in the chair.

On motion of Hon. Miguel E. Pino the act was referred to the committee on Agriculture.

Reports of special committees were announced in order by the President.

Hon. Miguel E. Pino made the following report:

MR. PRESIDENT—

The special committee of one member from each county to which was referred—

An act amending an act providing means for the education of children, approved January 28, 1863.

Has had the same under consideration and believing it

useful and necessary returns it with a substitute and recommends its adoption.

MIGUEL E. PINO.
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

The substitute was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Education.

Hon. Manuel Herrera moved to take a recess for ten minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. Miguel E. Pino asked for a reconsideration of the vote on the rejection of

An act concerning probate judges and clerks of the probate court.

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 7—noes 0.

In the affirmative voted Hons. Jesus Maria Silva, Guadalupe Perea, Manuel Sanchez, Jose Antonio Torres, Pascual Martinez, Manuel Herrera and Antonio Maria Pacheco.

The reconsideration was unanimous.

Therefore the act stood as read the third time.

On motion of Hon. Miguel E. Pino the act was referred to a special committee of three members.

The committee appointed by the President was composed as follows:

Messrs. Pino, Herrera and Cordova.

On motion of Hon. Rafael Lucero the Council adjourned until to-morrow at 10 o'clock, A. M.

THURSDAY, JANUARY 17, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of standing committees were announced in order.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills has the honor to report that the following acts have been signed by the Speaker of the House and the President of the Senate:

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

A memorial asking an increase of per diem for the members of the Legislative Assembly and an increase of salary for the Territorial officers.

A memorial to the Congress of the United States relative to Indian depredations, and asking an appropriation to indemnify the losses sustained by our citizens from that cause.

A memorial to the Congress of the United States.

An act declaring the adoption of Maria Rosario Trujillo.

All of which was delivered to his Excellency the Governor for his approval.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

The President announced having signed said act and memorials.

Hon. Jesus Ma. Silva made the following report:

MR. PRESIDENT:

The standing committee on Public Property to which was referred—

An act for the relief of Levi Spiegelberg.

Has had the same under consideration, and believing it just and necessary recommend that it be adopted.

JESUS M. SILVA,
Chairman of the committee.

Hon. Man'l Herrera moved that the report of the committee be adopted.

Agreed to.

The report was therefore adopted.

Hon. Manuel Herrera moved to refer the act to the whole Council.

The motion was adopted.

The act was referred to the committee of the whole Council.

Introduction of bills and joint resolutions was announced in order.

Hon. Antonio Maria Pacheco introduced—

A special act providing two or three mayordomos for the acequia madre, precinct number 6 of the county of Mora.

Was read the first time.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the second time.

Hon. Manuel Sanchez moved to refer the act to the standing committee on Roads and Acequias.

Agreed to.

Bills in their second reading were announced in order by thePresident.

An act providing a plan for the completion of the capitol building.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The committee was composed of the following members:

Hons. Manuel de Herrera, Rafael Chacon and Torres.

Hon. Antonio Maria Pacheco moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A memorial in regard to common schools.

An act increasing precinct No. 14 of the county of San Miguel.

Originated in the Council,

The House concurred in its passage without amendment.

An act amending an act entitled Militia.

Originated in the House of Representatives.

Was read the first time.

On motion of Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. Jose Antonio Torres the act was referred to the committee on Militia.

An act relative to personal insults.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Herrera the rules were suspended and the act

Was read the second time.

Hon. Manuel de Herrera movod that the act be referred to the standing committee on the Judiciary.

The motion was adopted.

Therefore the act was referred.

On motion of Hon. Jesus Maria Silva the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, JANUARY 18, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

A committee from the House of Representatives was announced and received, and through its President requested the signature of the President to—

An act relative to the hot springs in precinct No. 11, of the county of Socorro.

An act changing the county seat of Socorro county.

Originated in the House of Representatives.

The President announced having signed the acts above mentioned.

A message from the House was announced and received.

Reports of standing committees were announced in order by the President.

Hon. Guadalupe Cordova made the following report:

MR. PRESIDENT:—

The standing committee on Agriculture to which was referred—

An act to secure certain real estate in the county of Taos known under the title of the "Rio Grande Grant."

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage.

ANTONIO G. CORDOVA,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the third time and passed.

Hon. Antonio G. Cordova made the following report:

MR. PRESIDENT:—

The standing committee on Roads and Acequias to which was referred

A special act providing two or three mayordomos upon the acequia madre, watering the lands from La Mesa to its mouth, in precinct number 6 in the county of Mora.

—Has had the same under consideration and returns it to the Council recommending its passage.

ANTONIO G. CORDOVA,
Chairman of the Committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Anto. G. Cordova moved to suspend the rules to read the act the third time.

Agreed to.

Therefore the rules were suspended and the act

Was read the third time.

On motion of Hon. José A. Torres the act was referred to the committee on Roads.

Reports of special committees were announced in order by the President.

Hon. Manuel Herrera made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act to provide for a plan of the capitol.

Has had the same under consideration and believing it useful and necessary returns it to the Council recommending its passage.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. José Antonio Torres the report was adopted.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Enrolled Bills to which was referred—

An act increasing precinct 14 in the county of San Miguel.

A memorial to the Hon. Congress of the United States.

Has carefully examined the same and finding them correct, returns them for the signature of the President.

RAFAEL CHACON,
Chairman of the committee.

On motion of Mr. Torres the report of the committee was adopted.

The President announced having signed the act and memorial above mentioned.

Bills and joint resolutions were announced in order by the President.

Hon. Manuel Sanchez introduced—

An act declaring the adoption of Jose P. Miranda.

Was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

Hon. J. A. Torres moved that the act be referred to a special committee.

The motion was not adopted.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the third time.

On motion of Hon. Rafael Chacon the act was referred to a special committee.

The committee was composed of the following members:

Hons. Rafael Chacon, Jose Antonio Torres and Vicente Aragon.

A message from his Excellency the Governor was received.

Hon. Rafael Chacon introduced—

A joint resolution concerning different persons for various reasons.

Was read the first time.

On motion of Mr. Torres the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Rafael Lucero the rules were suspended and the resolution

Was read the third time.

Hon. Pascual Martinez in the chair.

Hon. Miguel E. Pino moved the passage of the resolution:

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 12—noes 0.

In the affirmative voted—

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera, Antonio Maria Pacheco and the President.

Therefore the resolution was unanimously adopted.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow, Saturday, at 10 o'clock, A. M.

SATURDAY, JANUARY 19, 1867.

The Council met pursuant to adjournment.

The President of the Council being absent on account of sickness, Hon. Jose Antonio Torres took the seat of President and called the Council to order.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

A message from the House of Representatives was announced and received.

Reports of standing committees were announced in order by the President.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT—

The standing committee on Education to which was referred,

An act amending an act providing means for the education of children, approved January 28, 1863.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Mr. Torres the report of the committee was adopted.

Hon. Rafael Chacon moved that the Council adjourn until three o'clock, P. M.

Not agreed to.

Introduction of bills and joint resolutions was announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills and joint resolutions in their third reading were announced in order.

An act amending an act providing means for the education of children, approved January 28, 1863.

Originated in the Council.

Was read the third time.

An act incorporating the Montezuma Mining Company.

Originated in the Council.

Was read the third time.

Hon. Rafael Chacon moved that the act be rejected.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 9—noes 3.

In the affirmative voted Hons. Vicente Aragon, Rafael Chacon, Antonio Guadalupe Cordova, Manuel Herrera, Pascual Martinez, Guadalupe Perea, Antonio Maria Pacheco, Jesus Maria Silva and Rafael Lucero y Mestas.

In the negative voted Hons. Manuel Sanchez, José Antonio Torres and the President.

Therefora the act was rejected.

An act providing a plan for the completion of the capitol building.

Originated in the House of Representatives.

Was read the third time and passed.

Hon. José A. Torres moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
Santa Fé, January 18, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I have the honor to inform you that I have signed the following acts and memorials which originated in the Council:

An act relative to maintain the police in the county of Santa Fe.

An act declaring the adoption of Maria Rosario Trujillo.

A memorial to the Congress of the United States asking that the Secretary of the Territory of New Mexico be authorized to cause to be printed with the laws of this session the constitution of the United States and the organic law of this Territory.

A memorial asking an increase of per diem for the members of the Legislative Assembly and an increase of salary for the Territorial officers.

A memorial to the Congress of the United States relative to Indian depredations, and asking an appropriation to indemnify the losses sustained by our citizens from that cause.

A memorial requesting the Congress of the United States to appoint a commission to investigate the claims for losses sustained by our citizens during the rebel inva-

sion of this Territory, and make an appropriation to indemnify them for the same.

A memorial to the Congress of the United States asking an appropriation to complete the capitol and penitentiary.

I remain, very respectfully,
Your obedient servant,
W. F. M. ARNY,

On motion of Hon. José Anto. Torres the communication was received.

An act providing for the incorporation of literary, debating and other societies.

Originated in the Council.

The House concurred in its passage without amendment.

Hon. Pascual Martinez in the chair.

An act designating the boundaries of precint of Peñasco, No. 8 in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to a special committee.

The committee was composed of the following members:

Hons. Rafael Chacon, Jose Antonio Torres and Vicente Aragon.

An act relative to involuntary servitude.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was ordered printed.

An act giving authority to the probate judges for the removal of officers.

Originated in the House of Representatives.

Was read the first time.

Hon. Manuel Sanchez moved that the Council take a recess until to-morrow at 10 o'clock, A. M.

Not agreed to.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to the standing committee on Territorial Affairs.

An act providing for an increase of per diem for the members of the Legislative Assembly.

Originated in the House of Representatives.

Was read the first time.

Hon. Guadalupe Perea moved that the Council adjourn until to-morrow at 10 o'clock.

Not agreed to.

Hon. José Torres moved that the Council adjourn till Monday, at 10 o'clock, A. M.

Not agreed to.

Hon. Manuel Sanchez moved that the act be rejected.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 10—noes 2.

In the affirmative voted Hons. Rafael Chacon, Antonio Guadalupe Cordova, Pascual Martinez Vicente Aragon, Manuel Herrera, Antonio Maria Pacheco, Jesus Maria

Silva, Rafael Lucero y Mestas Manuel Sanchez and Mr. President.

In the negative voted Hons. Jose Antonio Torres and Guadalupe Perea.

Therefore the act was rejected.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, JANUARY 21, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members were present, to wit:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera, Antonio Maria Pacheco and the President.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

An act declaring the adoption of Jose P. Miranda.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Manuel Herrera moved the passage of the act.

The motion was adopted.

Therefore the act passed.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The special committee to which was referred—

An act defining the eastern boundaries of precinct 9 in the county of Taos.

Has had the same under consideration and believing it useful and necessary returns it to the Council recommending its passage.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

Bills and resolutions in their third reading were announced in order.

An act relative to involuntary servitude.

Originated in the House of Representatives.

Was read the third time.

On motion the act passed.

Hon. Antonio G. Cordova made the following report:

MR. PRESIDENT:—

The standing committee on Roads and Acequias to which was referred

A special act providing two or three mayordomos for the acequia madre, precinct number 6 of the county of Mora.

Has had the same under consideration and returns it to the Council recommending the passage of the accompanying substitute.

ANTONIO G. CORDOVA,
Chairman of the Committee.

On motion of Pascual Martinez the report of the committee was adopted.

The substitute reported back by the committee—

Was read the first time.

On motion of Mr. Herrera the rules were suspended and the act

Was read the second time.

Hon. Anto. G. Cordova moved to suspend the rules to read the act the third time.

Agreed to.

Therefore the rules were suspended and the act Was read the third time.

On motion the act passed.

Hon. Rafael Lucero y Mestas moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

A communication from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES,
January 21, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

Sir—I have the honor to inform your honorable body that Messrs. Samuel Ellison, Benjamin Stevens, Francisco Perea and José Apodaca have been appointed as a committee of conference to confer with another of your honorable body, for the purpose of making certain investigations in regard to money appropriated by the general government in favor of some of our citizens, but which money has never been received, and is supposed to be retained by certain agents.

Very respectfully your obt. serv't,
NICOLAS QUINTANA,
Chief Clerk House of Reps.

On motion of Hon. Vicente Aragon the communication was received.

The President appointed in said committee the following members:

Hons. Vicente Aragon Manuel de Herrera and Pascual Martinez.

The Chief Clerk was instructed to inform the House of Representatives that this body had appointed said committee of conference in compliance with its request.

An act creating a new precinct in Valencia county.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Pascual Martinez the Council adjourned until Tuesday at 10 o'clock, A. M.

TUESDAY, JANUARY 22, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Vicente Aragon of Rio Arriba and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

A message from the House of Representatives was announced and received.

A message from his Excellency the Governor was received.

Petitions and memorials were announced in order by President.

None.

Reports of standing committees were announced in der.

Hon. Rafael Chacon made the following report:

r. PRESIDENT:—

The standing committee on Judiciary to which was re-red—

An act relative to personal insults.

Has had the same under consideration and believing it oper and just, return it without amendment and re-mmend its passage.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. José Antonio Torres the report s adopted.

Hon. José Torres made the following report:

r. PRESIDENT:

The standing committee on Territorial Affairs to which as referred—

An act authorizing probate judges to remove officers.

Has had the same under consideration, and believing just and necessary recommend that it be adopted.

JOSE ANTONIO TORRES,
Chairman of the committee.

Hon. Man'l Herrera moved that the report of the com-ittee be adopted.

Agreed to.

The report was therefore adopted.

Reports of special committees were announced in order the President.

None.

Introduction of bills and joint resolutions was announ ed in order.

Hon. Manuel de Herrera introduced—

An act amending an act creating a police in the cour seat of San Miguel county.

Was read the first time.

On motion of Hon. Rafael Lucero the rules were su pended and the act

Was read the second time.

On motion of Hon. Manuel Herrera the rules we suspended and the act

Was read the third time and passed.

Bills in their second reading were announced in ord by the President.

An act creating a new precinct in Valencia county.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. José A. Torres the act was refe red to the committee on Counties.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills to which w referred—

An act providing for the incorporation of literary, d bating and other societies.

Has carefully examined the same and finding it correc returns it for the signature of the President.

R. CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of th committee was adopted.

The President announced having signed the act above ntioned.

Bills and joint resolutions were announced in order by President.

An act giving authority to the probate judges for the noval of officers.

Originated in the House of Representatives.

Was read the third time and passed.

A message from the House was announced and re-ved.

An act relative to personal insults.

Originated in the House of Representatives.

Was read the third time and passed.

A message from the House of Representatives was an-nced and received.

Hon. G. Perea moved that the Council take a recess half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order the President.

Hon. Vicente Aragon moved to take action on the bus-ss on the President's table.

Agreed to.

Business on the President's table.

A communication from His Excellency the Governor s read as follows:

EXECUTIVE DEPARTMENT,
Santa Fe, January 22, 1867.

the Hon. Legislative Council:

GENTLEMEN:—I have the honor to inform you that ave approved the followiug act and memorial, to wit:

An act increasing precinct 14 in the county of San guel.

A memorial to the Hon. Congress of the Uni States.

Very respectfully your obd't serv't,

W. F. M. ARNY,

Acting Governor of New Mexico

On motion of Hon. Pascual Martinez the communi tion was received.

Another communication from His Excellency the G ernor was read as follows:

EXECUTIVE DEPARTMENT,

Santa Fe, N. M., January 21, 186

To the Honorable Legislative Council:

GENTLEMEN:—I have the honor to forward herew a memorial from the citizens that live on the rivers Bo to, Ruidoso and Hondo in the county of Socorro ask to establish a new county of the name of Lincoln.

All of which is respectfully submitted to your cons eration.

Very respectfully your obd't serv't,

W. F. M. ARNY,

Acting Governor of New Mexico

On motion of Hon. Manuel Sanchez the communi tion was received.

An act to secure certain real estate in the county Taos known under the title of the "Rio Grande Gran

Originated in the Council.

The House concurred in its passage.

A joint resolution censuring different persons for rious reasons.

Originated in the Council.

Was rejected by the House of Representatives.

An act amending the law on weights and measures, and requiring the discharge of certain duties.

Originated in the Council,

The House concurred in its passage with an amendment.

On motion of Hon. Manuel de Herrera the amendment was adopted.

An act changing the eastern limits of precinct 9 in the county of Santa Fé.

Originated in the House of Representatives.

Was read the first time.

An act authorizing clerks of the probate courts to appoint deputies, and for other purposes.

Was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

Hon. Manuel de Herrera movod that the act be referred to the standing committee on the Judiciary.

A message from the House of Representatives was announced and received.

On motion of Hon. Rafael Lucero the Council adjourned until to-morrow at 10 o'clock, A. M.

WEDNESDAY, JANUARY 23, 1867.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Reports of standing committees were announced in order by the President.

Hon. Manuel Sanchez made the following report:

MR. PRESIDENT:—

The standing committee on Militia to which was referred—

An act amending an act entitled Militia.

Has had the same under consideration and believing it useful and necessary returns it with amendments and recommends its adoption.

MANUEL SANCHEZ,
Chairman of the committee.

On motion of Hon. Manuel Herrera the report of the committee together with the amendments was adopted.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the third time and passed.

A message from the House of Representatives was announced and received.

A message from his Excellency the Governor was received.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was referred—

An act concerning butchers.

Has had the same under consideration and returns it to the Council recommending the passage of the accompanying substitute.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. José Antonio Torres the report was adopted.

The substitute reported back by the committee—

Was read the first time.

On motion of Mr. Herrera the rules were suspended and the act

Was read the second time.

Hon. Pascual Martinez moved to suspend the rules to read the act the third time.

Agreed to.

Therefore the rules were suspended and the act

Was read the third time.

On motion the act passed.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills to which was referred—

An act to secure certain real estate in the county of Taos known under the title of the "Rio Grande Grant."

An act amending the law on weights and measures, and requiring the discharge of certain duties.

Has carefully examined the same and finding it correct, returns it for the signature of the President.

R. CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the acts above mentioned.

Bills in their second reading were announced in order by the President.

An act changing the eastern limits of precinct 9 in the county of Santa Fé.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the third time and passed.

Introduction of bills and joint resolutions was announced in order.

None.

Hon. Rafael Lucero y Mestas moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
Santa Fé, January 23, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I have the honor to inform you that I have signed the following acts and memorials which originated in the Council:

An act providing for the incorporation of literary, debating and other societies.

I remain, very respectfully,
Your obedient servant,
W. F. M. ARNY,

On motion of Hon. José Anto. Torres the communication was received.

Hon. Manuel Sanchez in the chair.

An act amending an act creating a police in the county seat of San Miguel county.

An act declaring the adoption of Jose P. Miranda.

Originated in the Council.

The House concurred in its passage without amendment.

An act concerning possessory rights to public lands.

An act amending in part the criminal law.

Originated in the Council,

Was rejected by the House of Representatives which returned a substitute.

The substitute was read the first time.

On motion of Hon. Manuel Herrera the substitute was rejected.

An act authorizing the justices of the peace to investigate dead bodies.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was referred to the committee on Judiciary.

An act for the relief of Matias Medina.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was referred to a special committee of three members.

The committee was composed of the following members:

Messrs. Miguel E. Pino, Antonio G. Cordova and Jose A. Torres.

An act for the relief of William Van Winkle.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to the standing committee on Territorial Affairs.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, JANUARY 24, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was referred,

An act authorizing clerks of the probate courts to appoint deputies, and for other purposes.

Has had the same under consideration and believing

it necessary, returns it to the Council and recommends its passage.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

Hon. Manuel Sanchez introduced—

An act and preamble relative to weights and measures.

Was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Lucero the rules were suspended and the act

Was read the third time and passed.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills has the honor to report that the following acts have been signed by the Speaker of the House and the President of the Senate:

An act amending an act providing for a police in the county of San Miguel.

An act declaring the adoption of Jose P. C. Miranda.

All of which were delivered to his Excellency the Governor for his approval.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Hon. Vicente Aragon moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act dividing Los Gabaldones, precinct No. 7 in the county of Valencia.

Originated in the House of Representatives.

Was read the second time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the third time and passed.

An act to repeal an act relative to enclosures in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to a special committee.

The committee was composed of the following members:

Hons. Rafael Chacon, Jose Antonio Torres and Vicente Aragon.

A special act for precincts 1, 6 and 7 in the county of Mora.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Rafael Lucero the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to the committee on Counties.

A special act providing two or three mayordomos for the acequia madre, precinct number 1 of the county of Mora.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Vicente Aragon the rules were suspended and the act

Was read the second time.

Hon. Manuel Sanchez moved to refer the act to the standing committee on Roads and Acequias.

Agreed to.

An act to incorporate the Old Presbyterian Church in the city of Santa Fe under the control of the General Assembly of the United States.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the memorial was referred to the standing committee on Internal Improvements.

On motion of Hon. Guadalupe Perea the Council adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, JANUARY 25, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José Antonio Torres of Socorro.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was referred—

An act authorizing justices of the peace to hold inquests.

Has had the same under consideration, and believing it

just and necessary, return itwithout any amendments and recommends its passage.

RAFAEL CHACON,
Chairman of the committee.

Hon. Man'l Herrera moved that the report of the committee be adopted.

Agreed to.

The report was therefore adopted.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

Hon. Antonio G. Cordova made the following report:

MR. PRESIDENT:—

The standing committee on Roads and Acequias to which was referred

A special act providing two or three mayordomos upon the acequia madre, watering the lands from La Mesa to its mouth, in precinct number 1 in the county of Mora.

Has had the same under consideration and believing it proper and just, return it with an amendment and recommend its passage.

ANTONIO G. CORDOVA,
Chairman of the Committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Mr. Pacheco made the following report:

MR. PRESIDENT—

The standing committee on Internal Improvements to which was referred—

An act relative to the old Presbyterian church,

Has had the same under consideration and believing it

useful and necessary returns it to the Council recommending its passage.

ANTONIO M. PACHECO,
Chairman of the committee.

On motion of Hon. Manuel Herrera the report of the committee was adopted.

Reports of special committees were announced in order by the President.

Hon. Manuel Herrera made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

A communication from the Hon. John P. Slough, chief justice, has had the same under their most serious consideration, and in view of the circumstances and what said communication contains, the committee has the honor to submit to this honorable body its report together with an act, believing it a duty and honor to the people of New Mexico.

MANUEL DE HERRERA,
Chairman of the committee.

Hon. Pascual Martinez in the chair.

On motion of Mr. Torres the report of the committee was adopted.

The act was read the first time.

On motion of Jose A. Torres the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time.

Hon. Rafael Chacon moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 12—noes 0.

In the affirmative voted Hons. Rafael Chacon, Antonio Guadalupe Cordova, Pascual Martinez Vicente Aragon, Manuel Herrera, Antonio Maria Pacheco, Jesus Maria Silva, Rafael Lucero y Mestas, Manuel Sanchez, Guadalupe Perea, Jose Antonio Torres and Mr. President.

In the negative none.

Therefore the act was passed unanimously.

Hon. Miguel E. Pino made the following report:

Mr. PRESIDENT:

The special committee to which was referred—

An act for the relief of Matias Medina.

Has had the same under consideration and submit in its place the accompanying resolution.

MIGUEL E. PINO.
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

The resolution reported by the committee

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the resolution read the second time.

The motion was adopted.

The resolution was read the second time.

On motion of Mr. Torres the rules were suspended and the resolution

Was read the third time.

Hon. Rafael Chacon moved the passage of the resolution.

The ayes and noes were demanded upon the question.

The question was put, the roll called and resulted as follows:

Ayes 12—noes 0.

In the affirmative voted—

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba, and the President.

In the negative none.

Therefore the resolution was passed unanimously.

Hon. Jose Antonio Torres introduced the following resolution:

Whereas this honorable body is satisfied that Hon. Vicente Aragon, member from the county of Rio Arriba, had good and sufficient reasons for not attending in the early part of the session, he being very sick; therefore

Resolved, That the Secretary of the Territory be respectfully requested to pay said member for the whole session.

On motion of Hon. Miguel E. Pino the resolution was adopted.

Hon. Miguel E. Pino moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act relative to weights and measures.

Originated in the Council.

The House concurred in its passage.

A special act providing for two or three mayordomos upon the acequia madre in precinct 6, county of Mora.

Originated in the Council.

The House returned a substitute.

Was read the first time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. José Torres the rules were suspended and the act

Was read the third time and passed.

A memorial asking the establishment of a military post at the Rio Puerco.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Counties.

On motion of Hon. Miguel E. Pino the Council adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, JANUARY 26, 1867.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion approved.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act to provide means to make a plan for the completion of the capitol.

An act relative to personal insults.

An act designating the boundaries of precint of Peñasco, No. 8 in the county of Taos.

An act relative to involuntary servitude.

An act giving authority to the probate judges for the removal of officers.

The President announced having signed the foregoing acts.

Reports of standing committees were announced in order.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Counties to which was referred—

A memorial of the Legislative Assembly to Brevet Major General James H. Carleton, commanding the District of New Mexico,

Has had the same under consideration and believing it just and necessary returns it to this honorable body without amendment and recommends it passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Rafael Lucero y Mestas the report was adopted.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Enrolled Bills to which was referred—

A special act providing three mayordomos upon the acequia madre in precinct No. 6, county of Mora.

An act and preamble relative to weights and measures.

Has examined them and finding them correct returns them to this honorable body for the signature of the President.

RAFAEL CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:

The standing committee on Counties to which was referred—

An act creating a new precinct in Valencia county.

Has had the same under consideration, and believing it unjust and unnecessary recommend that it be rejected.

PASCUAL MARTINEZ,
Chairman of the Committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

Therefore the act was rejected.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:

The standing committee on Counties to which was referred—

A special act for precincts 1, 6 and 7 in the county of Mora.

Has had the same under consideration and believing it just and necessary returns it to this honorable body without amendment and recommends it passage.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Rafael Lucero y Mestas the report was adopted.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time.

Hon. Pascual Martinez in the chair.

Hon. Mignel E. Pino moved that the act be rejected.

Not agreed to.

Hon. Manuel de Herrera movod that the act be referred to the standing committee on the Judiciary.

Agreed to.

Hon. Rafael Lucero y Mestas moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act to incorporate the Old Presbyterian Church in

the city of Santa Fe under the control of the General Assembly of the United States.

Originated in the House of Representatives.

Was read the third time.

On motion the act passed.

A memorial asking the establishment of a military post at the Rio Puerco.

Originated in the House of Representatives.

Was read the third time.

On motion the act passed.

A special act providing two or three mayordomos for the acequia madre, precinct number 1 of the county of Mora.

Originated in the House of Representatives.

Was read the third time and passed.

On motion of Hon. Manuel Sanchez the Council adjourned until Monday at 10 o'clock, A. M.

MONDAY, JANUARY 28, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members were present, to wit:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Marti-

nez of Taos, José Antonio Torres of Socorro, Manuel Herrera, Antonio Maria Pacheco and the President.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act amending an act entitled Militia.

An act changing the eastern limits of precinct 9 in the county of Santa Fé.

An act dividing Los Gabaldones, precinct No. 7 in the county of Valencia.

An act creating a new precinct in Valencia county.

An act concerning butchers in the county of San Miguel.

An act authorizing clerks of the probate courts to appoint deputies, and for other purposes.

The President announced having signed the foregoing acts.

Introduction of bills and joint resolutions was announced in order.

Hon. Vicente Aragon introduced—

An act amending section 126 of an act approved January 30th, 1862 relative to justices of the peace.

Was read the first time.

A message from his Excellency the Governor was received.

On motion of Hon. Vicente Aragon the rules were suspended and the act

Was read the second time.

A message from the House of Representatives was announced and received.

Hon. Rafael Chacon moved to refer the act to a special committee.

Not agreed to.

Hon. Rafael Chacon offered a substitute to the act.

Rejected.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the third time.

The Vice President in the chair.

On motion of Hon. Miguel E. Pino the act was referred to the committee on Judiciary.

Hon. Miguel E. Pino moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
Santa Fé, January 28, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I have the honor to inform your that I have this day approved and signed a bill to amend the act entitled "Militia," and I hereby, in conformity with that law, nominate John Gwin, Jr., as Adjutant General of the militia of this Territory, and ask your advice and consent, so that I may commission him as such.

Very respectfully your obd't serv't,
W. F. M. ARNY,
Acting Governor of New Mexico.

On motion of Hon. Manuel Sanchez the communication was received.

Hon. Miguel E. Pino moved that the Council proceed in secret session and take into consideration the confirmation of the nomination of John Gwyn, Jr., as Adjutant General of the militia of the Territory of New Mexico.

Adopted.

Hon. Manuel Sanchez moved that the name of John Gwyn, Jr., be adopted and confirmed as Adjutan General of the militia.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 5—noes 7.

In the affirmative voted Hons. Rafael Chacon, Manuel Herrera, Guadalupe Perea, Manuel Sanchez and Rafael Lucero y Mestas.

In the negative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, Pascual Martinez, Antonio Maria Pacheco, Jesus Maria Silva, José Antonio Torres and the President.

Hon. G. Perea moved that the Council take a recess for half an hour.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Rafael Chacon moved that the Council adjourn until three o'clock, P. M.

Agreed to.

The Council adjourned until three o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

Hon. Pascual Martinez in the chair.

Hon. Miguel E. Pino moved that in conformity with the rules of the Council, he asked the reconsideration of the vote in the confirmation of the appointment of John Gwyn, Jr. as Adjutant General of the Militia.

Agreed to.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 7—noes 3.

In the affirmative voted Hons. Rafael Chacon, Manuel Herrera, Guadalupe Perea, Jesus Maria Silva, Manuel Sanchez, Rafael Lucero y Mestas, and Mr. President.

In the negative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, and Antonio Maria Pacheco.

Therefore John Gwyn, Jr., was confirmed by the Legislative Council as Adjutant General of the Territory of New Mexico for two years from this date.

Hon. Miguel E. Pino moved that the Chief Clerk of this body be instructed to inform His Excellency the Governor that John Gwyn, Jr., has been confirmed as Adjutant General of the Militia by the Legislative Council.

The motion was adopted.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Judiciary to which was referred—

An act amending section 126 of an act approved January 30th, 1862, relative to justices of the peace.

Has had the same under consideration and submit in its place the accompanying substitute.

RAFAEL CHACON,
Chairman of the committee.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

The substitute was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

Hon. Manuel Sanchez introduced—

An act relative to mills.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to the standing committee on Agriculture.

Hon. Manuel Herrera moved to take a recess for ten minutes.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. Jose Antonio Torres introduced—

An act to correct an error in the number of precincts in Doña Ana county.

Was read the first time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. José Torres the rules were suspended and the act

Was read the third time and passed.

Hon. Rafael Chacon introduced the following resolution:

Resolved, That a committee of three members of this honorable body be appointed to confer with another committee from the House of Representatives in regard to the final adjournment.

The resolution was adopted.

The committee was composed of the following members:

Messrs. Chacon, Cordova and Perea.

Hon. Vicente Aragon moved to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act providing for the erection of monuments over the graves of the soldiers who fell at Apache Cañon and Glorieta.

Originated in the Council.

The House concurred in its passage without amendment.

An act amending an act concerning damages done to fields, approved January 1st, 1856.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Rafael Lucero the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Herrera the act was referred to the standing committee on Judiciary.

A message from the House of Representatives was announced and received.

An act amending an act providing means for the education of children, approved January 28, 1863.

Originated in the Council.

The House concurred in its passage with an amendment.

On motion of Hon. Miguel E. Pino the act was referred to a special committee of three members.

The committee was composed of the following members:

Messrs. Pino, Torres and Herrera.

An act providing for the incorporation of companies.

Originated in the House of Representatives.

Was read the first time.

On motion of Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Mr. Jose Anto. Torres the act was referred to the committee on Privileges and Elections.

An act providing the manner of prosecuting assignment of error from the district to the supreme court.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Judiciary.

On motion of Hon. Pascual Martinez the Council adjourned until Tuesday at 10 o'clock, A. M.

TUESDAY, JANUARY 29, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Manuel de Herrera of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, José Antonio Torres of Socorro, Jesus Maria Silva of Santa Ana, Vicente Aragon of Rio Arriba and the President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Antonio G. Cordova made the following report:

MR. PRESIDENT:—

The standing committee on Roads and Acequias to which was referred

An act relative to mills,

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

ANTONIO G. CORDOVA,
Chairman of the Committee.

Hon. Man'l Herrera moved that the report of the committee be adopted.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the third time.

On motion of Hon. Manuel Herrera the act was referred to a special committee.

The President appointed in said committee the following members:

Messrs. Jose Antonio Torres, Manuel Sanchez and Vicente Aragon.

Hon. Manuel Sanchez in the chair.

Reports of special committees were announced in order by the President.

Hon. Miguel E. Pino made the following report:

Mr. PRESIDENT:

The special committee to which was referred—

An act amending an act providing means for the education of children, approved January 28, 1863.

Has had the same under consideration and believing it useful and necessary returns it to the Council recommending its passage.

MIGUEL E. PINO.
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

Introduction of bills and joint resolutions was announced in order.

Hon. Rafael Chacon introduced—

A joint resolution relative to the final adjournment of both houses.

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the resolution read the second time.

The motion was adopted.

The resolution was read the second time.

On motion of Mr. Torres the rules were suspended and the resolution

Was read the third time and passed.

A message from the House of Representatives was announced and received.

Hon. Manuel Herrera moved that the rules be suspended to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,

Santa Fe, January 29, 1867.

To the Hon. Legislative Council:

Gentlemen—I have the honor herewith to inform you that the office of Quartermaster General of the militia is vacant by the expiration of the term of the last incumbent and I respectfully nominate Antonio Ortiz y Salazar as as Quartermaster General, and ask your advice and consent thereto.

I remain, very respectfully,
Your obedient servant,
W. F. M. ARNY,

On motion of Hon. José Anto. Torres the communication was received.

Mr. Herrera moved that the Council take into consideration the appointment of Mr. Antonio Ortiz y Salazar in secret session.

Mr. Chacon moved that the appointment be confirmed.

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 12—noes 0.

In the affirmative voted—

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Manuel de Herrera of San Miguel, Antonio Maria Pacheco of Mora, Vicente Aragon of Rio Arriba, and the President.

In the negative none.

Therefore the nomination of Mr. Ortiz as Quartermaster General of the Militia was unanimously confirmed.

Hon. Manuel Herrera moved that the chief clerk be instructed to inform his excellency the Governor that the nomination of Quartermaster General of the Militia was duly confirmed.

Agreed to.

An act to correct an error in the number of a precinct in Doña Ana.

Originated in the Council.

The House concurred in its passage.

Hon. José Torres made the following report:

MR. PRESIDENT:—

The special committee to which was referred—

A special act for the county of Santa Ana.

Has had the same under consideration and believing it useful and necessary returns it with amendments and recommends its adoption.

JOSE ANTONIO TORRES,
Chairman of the committee.

On motion of Hon. Manuel Herrera the report of the committee was adopted.

The act as amended passed.

An act incorporating the Telegraph Company of New Mexico.

Originated in the House of Representatives.

Was read the first time.

Hon. Vicente Aragon in the chair.

A message from the House was announced and received.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Jose A. Torres the rules were suspended and the act

Was read the third time and passed.

An act to repeal an act relative to enclosures in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the third time and passed.

On motion of Mr. Silva the Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Hons. Rafael Chacon of Taos, Pascual Martinez of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Vicente Aragon of Rio Arriba, and José António Torres of Socorro.

A quorum being present, the Council proceeded to the dispatch of business.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

An act concerning a telegraphic line.

Originated in the House of Representatives.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

On motion of Mr. Herrera the rules were suspended and the act

Was read the third time and passed.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills to which was referred—

An act repealing an act approved January 30, 1862.

An act providing for the erection of monuments over the graves of soldiers.

An act to correct an error in the number of precincts in Doña Ana county.

Has carefully examined the same and finding it correct, returns it for the signature of the President.

R. CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the acts above mentioned.

An act relative to the qualification of officers.

Originated in the House of Representatives.

Was read the first time.

Hon. Rafael Chacon moved that the act be rejected.

The motion was not adopted.

On motion of Hon. Rafael Lucero the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to the standing committee on Territorial Affairs.

A message from the House of Representatives was announced and received.

An act amending an act relative to the removal of officers, approved January 14, 1863.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

Hon. Manuel de Herrera moved that the act be referred to the standing committee on Judiciary.

Agreed to.

Therefore the act was referred.

Hon. José Torres made the following report:

MR. PRESIDENT:—

The standing committee on Territorial Affairs to which was referred—

An act for the relief of William Van Winkle.

Has had the same under consideration and believing it proper and just, return it with an amendment and recommend its passage.

JOSE ANTONIO TORRES,
Chairman of the committee.

On motion of Hon. Pascual Martinez the report of the committee was adopted.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the third time.

On motion the act passed.

An act relative to bailes.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Rafael Lucero the rules were suspended and the act

Was read the second time.

On motion of Hon. José A. Torres the act was referred to the committee on Counties.

An act imposing taxes on incorporated bodies.

Originated in the House of Representatives.

The act was read the first time.

On motion of Hon. Vicente Aragon the rules were suspended and the act

Was read the second time.

A message from the House of Representatives was announced and received.

On motion of Mr. Jose Anto. Torres the act was referred to the committee on Mines and Waste Lands.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act to incorporate the Old Presbyterian Church in the city of Santa Fe under the control of the General Assembly of the United States.

A special act providing two or three mayordomos for the acequia madre, precinct number 1 of the county of Mora.

An act for the relief of Matias Medina.

A memorial asking the establishment of a military post at the Rio Puerco.

The President announced having signed the foregoing acts.

A special act for the precinct of Rio Colorado in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel de Herrera the act was referred to the standing committee on Judiciary.

An act establishing two new counties in the Territory of New Mexico, providing officers for the same and for other purposes.

Originated in the House of Representatives.

Was read the first time.

On motion of Jose A. Torres the rules were suspended and the act

Was read the second time.

Hon. Pascual Martinez in the chair.

On motion of Hon. Jose A. Torres the act was rejected.

An act for the relief of the chief clerks of the Legislative Assembly.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the second time.

Hon. Mignel E. Pino moved that the act be rejected.

The ayes and noes were demanded upon the question.

The question was put, the roll was called and the result was as follows:

Ayes 8—noes 4.

In the affirmative voted Hons. Rafael Chacon, Manuel Herrera, Pascual Martinez, Guadalupe Perea, Antonio Maria Pacheco, Jesus Maria Silva, Manuel Sanchez and the President.

In the negative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, José Antonio Torres and Rafael Lucero y Mestas.

Therefore the act was rejected.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow at 10 o'clock, A. M.

WEDNESDAY, JANUARY 30, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members were present, to wit:

Hons. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Manuel Barela of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia, Pascual Martinez of Taos, José Antonio Torres of Socorro, Manuel Herrera, Antonio Maria Pacheco and the President.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Hon. Manuel Herrera moved that the rules be suspended to introduce an act.

The motion was adopted.

Hon. Manuel Herrera introduced—

An act to incorporate the La Tijera Mining Company.

Was read the first time.

The Vice President in the chair.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. Vicente Aragon the rules were suspended and the act

Was read the third time.

On the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 11—noes 1.

In the affirmative voted Hons. Rafael Chacon, Manuel Herrera, Guadalupe Perea, Jesus Maria Silva, Manuel

Sanchez, Rafael Lucero y Mestas, Vicente Aragon, Antonio Guadalupe Cordova Antonio Maria Pacheco, Jose Torres and Pascual Martinez.

In the negative voted Mr. President.

Therefore the act passed.

A message from the House of Representatives was announced and received.

Hon. Rafael Chacon asked to be excused from attending to-day's session.

Leave was granted.

Hon. Vicente Aragon introduced the following resolution—

Resolved, That having taken into consideration the just cause that hindered Hons. Manuel Herrera, Antonio M. Pacheco and Antonio G. Cordova from being present the first days of the session, they are hereby excused, and are to be paid for the full session.

The resolution was adopted.

Hon. Pascual Martinez introduced—

An act to incorporate the Hanover Mining Company.

Was read the first time.

Hon. Vicente Aragon in the chair.

A message from the House was announced and received.

A committee from the House of Representatives was announced and received, and through its President requested the signature of the President to—

An act providing means for the preservation of books in the Territorial Library.

An act authorizing the justices of the peace to investigate dead bodies.

The President announced having signed the acts above mentioned.

Hon. Jose A. Torres moved that the rules be suspended to read an act relative to mines the second time.

The motion was adopted.

The act was read the second time.

Hon. Manuel Sanchez in the chair.

Hon. Miguel E. Pino offered the following amendment:

That in section 11, where it says that the company shall pay one hundred dollars every year, say they have to pay one hundred dollars every six months.

On motion of Hon. Manuel Herrera the amendment was adopted.

Hon. Rafael Chacon moved to refer the act to a special committee.

Not agreed to.

On motion of Hon. José Torres the rules were suspended and the act

Was read the third time.

Hon. Miguel E. Pino moved the passage of the act.

The ayes and noes were demanded npon the question.

The question was put, the roll called and resulted as follows:

Ayes 8—noes 3.

In the affirmative voted—

Hon. Vicente Aragon of Rio Arriba, Antonio GuadalupeCordova of Rio Arriba, Manuel de Herrera of San Miguel, Pascual Martinez of Taos, Guadalupe Perea of Bernalillo, Antonio Maria Pacheco of Mora, Jesus Maria Silva of Santa Ana and Jose Antonio Torres of Socorro.

In the negative voted—

Hon. Manuel Sanchez of Valencia, Rafael Lucero of San Miguel and the President.

Therefore the act passed.

Hon. Rafael Lucero y Mestas moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act authorizing the probate judge to straighten the streets of Santa Fé.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the act was referred to a special committee.

The President appointed in said committee the following members:

Messss. Pino, Herrera and Torres.

Hon. Jesus M. Silva moved that the Council adjourn until three o'clock, P. M.

Agreed to.

The Council adjourned until three o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora,

Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

A message from his Excellency the Governor was received.

Hon. Manuel de Herrera with suspension of rules introduced—

An act concerning the rights of clerks of the district courts.

Was read the first time.

On motion of Hon. Manuel de Herrera the rules were suspended and the act

Was read the second time.

On motion of Mr. Herrera the rules were suspended and the act

Was read the third time and passed.

Hon. José Torres in the chair.

Hon. Rafael Chacon introduced the following act.

An act providing for vacancies in the office of sheriff, and for other purposes.

Was read the first time.

On motion of Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the third time.

On motion the act passed.

Hon. Miguel E. Pino made the following report:

Mr. President:

The special committee to which was referred—

An act authorizing the probate judge to straighten the streets of Santa Fé,

Has had the same under consideration and submit in its place the accompanying substitute.

MIGUEL E. PINO.
Chairman of the committee.

On motion of Hon. Manuel Herrera the report of the committee was adopted.

The substitute was read the first time.

A message from the House of Representatives was announced and received.

On motion of Hon. Manuel Sanchez the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

The President in the chair.

Hon. Rafael Chacon made the following report:

Mr. President:

The standing committee on Enrolled Bills to which was referred—

An act amending an act providing means for the education of children, approved January 28, 1863.

Has carefully examined the same and finding it correct, returns it for the signature of the President.

R. CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the act above mentioned.

A joint resolution relative to the final adjournment of both houses.

Hon. Miguel E. Pino moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
Santa Fé, January 28, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council:

SIR:—I have the honor to inform you that I have signed the following acts and memorials which originated in the Council:

An act to correct an error in the number of precincts in Doña Ana county.

An act repealing an act approved January 30, 1862.

An act relative to weights and measures.

Very respectfully your obd't serv't,
W. F. M. ARNY,
Acting Governor of New Mexico.

On motion of Hon. Manuel Sanchez the communication was received.

An act to regulate the time for turning animals loose in the counties of Bernalillo and Socorro.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the second time.

On motion the act was rejected.

An act relative to water courses.

Originated in the House of Representatives.

Was read the first time.

On motion the act was rejected.

An act relative to acequias in the precinct of Manzano.

Originated in the House of Representatives.

Was read the first time.

Hon. Pascual Martinez moved to suspend the rules to read the act the second time.

Agreed to.

Therefore the rules were suspended and the act

Was read the second time.

On motion of Hon. Manuel Sanchez the act was referred to a select committee of three members.

The committee was composed of the following members:

Hons. Manuel Sanchez, Jose A. Torres and Manuel Herrera.

An act relative to papers enrolled at the office of the clerk of the second judicial district in this Territory.

Originated in the House of Representatives.

Was read the first time.

An act legitimizing the children of Jose Dolores Sena and Juana Lucero.

Originated in the House of Representatives.

Was read the first time.

Hon. Pascual Martinez in the chair.

On motion of Miguel E. Pino the act was rejected.

An act to prevent frauds in the revenue of this Territory.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the rules were suspended and act

Was read the third time and passed.

An act authorizing and establishing an annual fair in the city of Santa Fe.

Originated in the House of Representatives.

Was read the first time.

On motion of Miguel E. Pino the act was rejected.

An act relative to the distribution of water in the precincts 1 and 2 of Santa Fé.

Originated in the House of Representatives.

Was read the first time.

Hon. Rafael Chacon moved that the rules be suspended and the act read the second time.

Agreed to.

The act was read the second time.

Hon. Rafael Lucero moved that it be rejected.

Not agreed to.

On motion of Hon. Rafael Chacon the act was referred to the standing committee on Agriculture.

Hon. Miguel E. Pino moved to take a recess for ten minutes.

The Council in recess.

The time having expired the Council was called to order by the President

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Enrolled Bills to which was referred—

A joint resolution.

An act and preamble relative to weights and measures.

Has examined them and finding them correct returns them to this honorable body for the signature of the President.

RAFAEL CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the acts above mentioned.

An act incorporating the Nacimiento Mining Company.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. V. Aragon the rules were suspended and the act

Was read the second time.

On motion of Hon. Rafael Chacon the act was referred to the committee on Mines.

An act to incorporate the Sauta Rita Mining Company of New Mexico.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Martinez the rules were suspended and the act

Was read the second time.

On motion of Mr. Aragon the act was referred to the committee on Mines and Waste Lands.

An act creating an additional precinct in the county of Mora.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Pacheco the rules were suspended and the act

Was read the second time.

Mr. Chacon moved that the act be referred to the standing committee on Internat Improvements.

Not agreed to.

Mr. Chacon offered the following amendment:

AMENDMENT.

That after the words "electoral precincts" to say "and judicial."

The amendment was adopted.

On motion of Mr. Torres the rules were suspended and the act

Was read the third time and passed.

Hon. Manuel Herrera made the following report:

MR. PRESIDENT:—

The standing committee on Mines to which was referred—

An act to incorporate the Nacimiento Mining Company of New Mexico.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage as amended.

MANUEL DE HERRERA,
Chairman of the committee.

Amendment—"Provided that said company shall pay

one hundred dollars into the Territorial treasury every six months, to be collected in conformity with the laws of this Territory.

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

On motion of Mr. Martinez the rules were suspended and the act

Was read the third time.

The ayes and noes were called on the passage.

The question was put, the roll called and the result was as follows:

Ayes 5—noes 4.

In the affirmative voted Messrs. Vicente Aragon, Manuel Herrera, Pascual Martinez, Antonio Maria Pacheco and Jose A. Torres.

In the negative voted Messrs. Guadalupe Perea, Manuel Sanchez, Rafael Chacon and the President.

Therefore the act passed.

Hon. Pascual Martinez moved that the Council adjourn until to-morrow at 10 o'clock, A. M.

Not agreed to.

An act designating the time and places of holding the district courts of this Territory.

Originated in the House of Representatives.

Was read the first time.

An act amending an act relative to the removal of officers, approved January 14, 1853.

Originated in the House of Representatives.

Was read the first time.

On motion of Vicente Aragon the act was rejected.

An act relative to certain agreements between persons who receive money in advance.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Manuel Sanchez the Council adjourned until to-morrow, Thursday, at 10 o'clock, A. M.

THURSDAY, JANUARY 31, 1867.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names, to wit:

Hon. Rafael Chacon of Taos, Antonio Guadalupe Cordova of Rio Arriba, Rafael Lucero of San Miguel, Jesus Maria Silva of Santa Ana, Guadalupe Perea of Bernalillo, Manuel Sanchez of Valencia and Jose Antonio Torres of Socorro, Vicente Aragon of Rio Arriba and the President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

Petitions and memorials were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Manuel Herrera made the following report:

MR. PRESIDENT:—

The standing committee on Mines to which was referred—

An act to incorporate the Sauta Rita Mining Company of New Mexico.

Has had the same under consideration and believing it necessary, returns it to the Council and recommends its passage as amended.

MANUEL DE HERRERA,
Chairman of the committee.

Amendment—In section 11 strike out the words "one hundred" and insert "two hundred."

On motion of Hon. Manuel Sanchez the report of the committee was adopted.

On motion of Hon. Manuel Herrera the rules were suspended and the act

Was read the third time.

On the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and the result was as follows:

Ayes 6—noes 6.

In the affirmative voted Hons. Vicente Aragon, Antonio Guadalupe Cordova, Manuel Herrera, Antonio Maria Pacheco, Jesus Maria Silva and Guadalupe Perea.

In the negative voted Rafael Chacon, Manuel Sanchez, Pascual Martinez, Rafael Lucero y Mestas, Jose Torres and Mr. President.

Therefore the act was rejected.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:

The standing committee on Counties to which was referred—

An act relative to precinct 13, county of Bernalillo.

Has had the same under consideration and believing it useless and unnecessary returns it to the Council recommending its rejection.

PASCUAL MARTINEZ,
Chairman of the committee.

On motion of Hon. Rafael Lucero y Mestas the report was adopted.

The president therefore announced that the act was rejected.

Hon. Pascual Martinez in the chair.

A message from the House of Representatives was announced and received.

The Vice President in the chair.

Hon. Pascual Martinez made the following report:

MR. PRESIDENT:—

The standing committee on Counties to which was referred,

An act relative to bailes.

Has had the same under consideration, and believing it just and necessary, return it without any amendments and recommends its passage.

PASCUAL MARTINEZ,
Chairman of the Committee.

On motion of Hon. Manuel Sanchez the report of the committee was rejected.

Introduction of bills and joint resolutions was announced in order.

Hon. Miguel E. Pino introduced—

An act repealing an act entitled an act to incorporate the Montezuma Mining and Manufacturing Company, approved January 26, 1866.

Was read the first time.

On motion of Mr. V. Aragon the rules were suspended and the act

Was read the second time.

On motion of Hon. Miguel E. Pino the rules were suspended and act

Was read the third time and passed.

Hon. Miguel E. Pino introduced—

A joint resolution relative to monuments.

Was read the first time.

On motion of Hon. Miguel E. Pino the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Rafael Chacon the rules were suspended and the resolution.

Was read the third time.

On motion the resolution passed.

Hon. Miguel E. Pino moved to suspend the rules and take action on the business on the President's table.

Agreed to.

Business on the President's table.

The following communication from His Excellency the Governor was read as follows :

EXECUTIVE DEPARTMENT,
Santa Fé, January 31, 1867.

To Hon. Miguel E. Pino, President of the Legislative Council :

Sir—I have the honor to acknowledge the receipt of a joint resolution, originated in your honorable body, fixing

the time of final adjournment at three o'clock this afternoon. I return the resolution without my approval, and respectfully suggest that the time be fixed for 10 o'clock this evening, so as to give me time to properly examine the laws passed, before I give my approval to them.

Very respectfully your obd't serv't,

W. F. M. ARNY,

Acting Governor of New Mexico.

On motion of Hon. Manuel Sanchez the communication was received.

An act to incorporate the La Tijera Mining Company.

Originated in the Council.

The House concurred in its passage without amendment.

An act to incorporate the Hanover Mining Company.

Originated in the Council.

The House concurred in its passage.

An act providing for vacancies in the office of sheriff, and for other purposes.

Originated in the Council,

The House concurred in its passage with an amendment.

AMENDMENTS.

In section 2, second line, after the word "sheriff" or when any sheriff be the cause or be otherwise disqualified from serving the process.

In section 2, line 3, strike out the words "clerks of the district courts" and insert "the court that issues such process."

On motion of Mr. Pino the amendments were adopted.

An act authorizing the probate judge to straighten the streets of Santa Fé,

Originated in the Council.

The House concurred in its passage with the following amendments:

After the word "paid" insert "on delivery," and strike out the proviso in section six.

On motion of Hon. Miguel E. Pino the amendment was adopted.

Hon. Miguel E. Pino moved that the acts, resolutions and memorials originated in this body, and passed by both houses be considered as enrolled, signed and by the President and Speaker and submitted to His Excellency for his approval.

The motion was adopted.

A message from the House of Representatives was announced and received.

A joint resolution relative to monuments.

An act concerning the rights of clerks of the district courts.

Originated in the Council.

The House concurred in its passage.

A memorial asking the establishment of a military post in the Arroyo del Utah.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Martinez the rules were suspended and the act

Was read the second time.

A committee from the House of Representatives was announced and received, and through its chairman respectfully requested the signature of the President of the Council to the following:

An act amending section eleventh of an act approved January 6, 1862.

An act to incorporate the Nacimiento Mining Company of New Mexico.

An act incorporating the Telegraph Company of New Mexico.

A memorial relative to a telegraph.

The President announced having signed the foregoing acts.

Hon. G. Perea moved that the Council take a recess for ten minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. José Torres in the chair.

Hon. Miguel E. Pino offered the following amendment to the memorial relative to a military post in the Arroyo del Utah:

To strike out all that part of the memorial from 'your to where it says 'settlements' in the second paragraph.

The amendment was adopted.

On motion of Mr. Pino the rules were suspended and the memorial

Was read the third time.

Hon. Miguel E. Pino moved the passage of the act.

The ayes and noes were demanded upon the question.

The question was put, the roll called and resulted as follows:

Ayes 11—noes 0.

In the affirmative voted—

Hon. Vicente Aragon of Rio Arriba, Antonio Guadalupe Cordova of Rio Arriba, Manuel de Herrera of San Miguel, Pascual Martinez of Taos, Guadalupe Perea of Bernalillo, Antonio Maria Pacheco of Mora, Jesus Maria Silva of Santa Ana and Jose Antonio Torres of Socorro, Manuel Sanchez of Valencia, Rafael Lucero of San Miguel and the President.

In the negative none.

The memorial as amended passed.

The President in the chair.

Hon. Jesus M. Silva moved that the Council adjourn until three o'clock, P. M.

Agreed to.

The Council adjourned until three o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Hon. Miguel E. Pino, President in the chair.

The roll was called and the following members answered to their names:

Hons. Antonio Guadalupe Cordova of Rio Arriba, Guadalupe Perea of Bernalillo, Jesus Maria Silva of Santa Ana, Rafael Lucero of San Miguel, Manuel Sanchez of Valencia, Jose Antonio Torres of Socorro, Pascual Martines of Taos, Antonio Maria Pacheco of Mora, Manuel de Herrera of San Miguel, Vicente Aragon of Rio Arriba, and the President.

A quorum being present the Council proceeded to the dispatch of business.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:

The standing committee on Enrolled Bills to which was referred—

An act providing for vacancies in the office of sheriff.

A joint resolution providing for the erection of monuments over the graves of soldiers.

An act declaring the fees of the clerks of the district courts.

An act authorizing the probate judge to straighten the streets of Santa Fé.

An act to incorporate the La Tijera Mining Company of New Mexico.

Has examined them and finding them correct returns them to this honorable body for the signature of the President.

RAFAEL CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the acts above mentioned.

Hon. Rafael Lucero y Mestas moved that the rules be suspended to take action on the business on the table of the President.

Agreed to.

Business on the President's table.

An act repealing sections 4 and 5 of an act approved January 30, 1865.

Originated in the House of Representatives.

Was read the first time.

On motion of Jose A. Torres the rules were suspended and the act

Was read the second time.

Hon. Pascual Martinez in the chair.

Hon. Rafael Chacon offered the following amendment:

In the title of the act strike out the word "and" between "4 and 5" and put "and 6" after "5."

In the third line of the additional section strike out the word "summon" and insert "extend."

On motion the amendments were adopted.

On motion of Hon. Rafael Chacon the rules were suspended and the act

Was read the third time and passed.

A committee from the House of Representatives was announced and received, and reported that it had been instructed to solicit a committee of conference from the Council to take into consideration "An act incorporating the Santa Rita Mining Company," which had been rejected by the Council.

On motion of Hon. Manuel de Herrera the committee was appointed.

The committee was composed of the following members:

Messrs. Herrera, Aragon and Perea.

A committee from the House of Representatives was announced and received, and through its President requested the signature of the President to—

An act creating an additional precinct in the county of Mora.

The President announced having signed the act above mentioned.

Hon. Manuel Herrera made the following report:

MR. PRESIDENT:—

The committee of conference upon "An act incorporating the Santa Rita Mining Company," reports that having conferred with the committee from the House of Re-

presentatives, it would recommend that said act be passed by the Council.

MANUEL DE HERRERA,
Chairman of the committee.

On motion of Hon. Manuel Herrera the report of the committee was adopted.

Hon. Manuel Herrera moved to reconsider the vote on the passage of the act relative to the Santa Rita Mining Company.

Not agreed to.

Hon. Rafael Lucero y Mestas moved that the Council be constituted into a committee of the whole to take under consideration the act for the relief of Levi Spiegelberg.

Agreed to.

Hon. Rafael Lucero in the chair.

The Council was constituted into a committee of the whole in conformity with the rules and took under consideration the said act.

The Chairman of the committee of the whole made the following report:

MR. PRESIDENT:—

The committee of the whole to which was referred—

An act for the relief of Levi Spiegelberg.

Has had the same under consideration and believing it just and necessary returns it to this honorable body without amendment and recommends it passage.

RAFAEL LUCERO,
Chairman of the Committee.

On motion of Hon. José Antonio Torres the report was adopted.

On motion of Hon. José A. Torres the rules were suspended and the act

Was read the third time and passed.

A committee from the House of Representatives was announced and received and requested the signature of President to—

A memorial asking the establishment of a military post at Arroyo del Utah.

An act repealing sections 4, 5 and 6 of an act approved January 30th, 1865.

The President announced having signed the act and memorial.

A message from the House of Representatives was announced and received.

An act repealing an act incorporating the Montezuma Mining and Manufacturing Company.

Originated in the Council.

The House concurred in its passage.

Hon. Rafael Chacon made the following report:

MR. PRESIDENT:—

The standing committee on Enrolled Bills to which was referred—

An act repealing an act incorporating the Montezuma Mining and Manufacturing Company.

An act and preamble relative to weights and measures.

Has carefully examined the same and finding it correct, returns it for the signature of the President.

R. CHACON,
Chairman of the committee.

On motion of Pascual Martinez the report of the committee was adopted.

The President announced having signed the acts above mentioned.

Hon. Rafael Chacon, chairman of the committee of conference, reported to the Council that the committee had agreed to adjourn at ten o'clock, P. M.

On motion of Mr. Torres the report was adopted.

A committee from the House of Representatives was announced and received and requested the signature of the President to—

An act to prevent frauds in the revenue of this Territory.

An act for the relief of Levi Spiegelberg.

The President announced having signed the acts above mentioned.

On motion of Hon. José A. Torres a committee of conference was appointed for the purpose of informing his Excellency the Governor that the Council was ready to adjourn *sine die*.

A committee appointed consisted of the following members:

Hons. Jose Antonio Torres, Vicente Aragon and Rafael Lucero.

Hon. Rafael Chacon introduced the following resolution:

Resolved, That a vote of thanks be tendered to the Hon. President of this body, to all the members of the same, to the Chief Clerk, and other clerks, to the sergeant-at-arms, doorkeeper and Interpreter for the prompt and active manner in which they have discharged the duties of their offices.

On motion of Hon. Manuel Herrera the resolntion was adopted.

A message from the House of Representatives was announced and received.

Hon. Miguel E. Pino moved to take a recess for ten minutes.

The Council in recess.

The time having expired the Council was called to order by the President

The committee of conference returned and reported it had complied with its duties and that His Excellency the Governor had informed it that he had another communication to send.

A message from his Excellency the Governor was received.

Hon. Manuel Herrera moved that the rules be suspended to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from His Excellency the Governor was read as follows:

EXECUTIVE DEPARTMENT,
Santa Fe, January 31, 1867.

To the President of the Hon. Legislative Council:

SIR:—I have the honor to inform you that I have signed the following acts and memorials which originated in the Council:

An act providing for the erection of monuments over the graves of the soldiers who fell in New Mexico during the rebellion.

An act amending an act providing means for the education of children, approved January 28, 1863.

An act providing for the filliug of vacancies in the office of sheriff.

An act to incorporate the Hanover Copper Mining Company.

An act incorporating the La Tijera Copper Mining Company.

An act authorizing the probate judge of Santa Fe county to straighten the st.eets of the city of Santa Fe.

An act repealing an act incorporating the Montezuma Mining and Manufacturing Company.

All of which is respectfully submitted to your Honorable Body.

I remain, very respectfully,
Your obedient servant,
W. F. M. ARNY,

On motion of Hon. José Anto. Torres the communication was received.

Hon. Rafael Chacon offered the following resolution:

Be it resolved by the Legislative Council, That a vote of thanks be and is hereby tendered by this honorable body to his Excellency, W. F. M. Arny, Acting Governor and Secretary of the Territory, for the zeal and energy he has manifested in the discharge of his duties during the present session, and for the dignity with which he withstood the attacks directed at him as the Executive of the Territory.

Be it further resolved, That a vote of thanks be and is hereby tendered by this honorable body to the editors of the "NEW MEXICAN" newspaper for the energy and capacity with which they have defended the public cause, and firmly sustained the proceedings of the Legislature when just, and for protecting the interests of the people of this Territory.

On motion of Hon. Manuel Sanchez the resolution was adopted.

The journal of to-day, Thursday, was read and approved.

The hour having arrived, as agreed upon for the time of adjournment, the Legislative Council was adjourned *sine die*.

MIGUEL E. PINO,
President.

FRANCISCO SALAZAR,
Chief Clerk.

APPENDIX.

GOVERNOR'S MESSAGE.

Gentlemen of the Council and House of Representatives of the Legislative Assembly of New Mexico:

Having been chosen by your respective constituencies as their representatives, to legislate for them and their welfare, it may reasonably be expected that, whilst each member will watch with a jealous eye over the local interests of his own immediate constituents, you will not lose sight of the general good of the Territory. Indeed it has very rarely happened in this Territory that the interests of any one locality or section has been found at war with the common good.

The legislative power and authority of the Territory having been vested jointly in the Council and House of Representatives, composed of members chosen by the people, and representing various local constituencies, and the Governor, who is supposed to represent the United States Government and the entire people of this Territory, without reference to any fractional part. And this joint power and authority extends to all rightful subjects of legislation, consistent with the Constitution

of the United States and the provisions of the organic law of this Territory. Let us then approach our duties with eyes steadily fixed upon the honor and best interests of our common country.

The fourth section of the organic law authorizes and requires the Secretary of the Territory, in case of the absence of the Governor, to execute and perform all his powers and duties, during such absence, and I appear before you to-day in the discharge of the duties thus made incumbent upon me; and in their discharge you will find me ready and willing at all times to co-operate with you in any and all measures that will tend to the prosperity of the Territory or its people. Frankness and coufidence between the Legislative and the Executive branches of the Government are necessary auxiliaries to the accomplishment of any general good. With these virtues properly exercised, and a united desire to promote the general welfare of the people and the government we represent, with proper deliberation, wisdom and justice, we will be able to render our official acts acceptable to the people of our Territory who are to be effected by them either for good or evil.

Since the adjournment of the last Legislative Assembly, we have been called upon to mourn the death of His Excellency, Ex-Governor Connelly. In his departure New Mexico lost one of her best and most zealous friends, who in all his walks of life, public and private, ever exhibited the same zeal and interest in her welfare. During the five years of his administration as our governor, during the eventful time through which our country has just passed, he exhibited qualities of mind and heart which pre-eminently fitted him for the position which the government conferred upon him.

We have great cause to return thanks for the manner

in which a kind Providence has smiled npon us during the past year. We have been blessed with refreshing rains for the growth of crops, and the labors of the husbandman have been rewarded by a plentiful harvest; prosperity is attending every avenue of business, and while people in the southern sections of the Union have hardly been able to procure food enough to sustain life, here, there is an abundant supply for all. We have been preserved from the fearful diseases and disasters that have desolated some of the fairest portions of the Union, and with the exception of the murders and depredations of the savage Indians, our whole population have lived in peace and happiness under the benign laws of the general and territorial government.

FINANCES.

I submit the reports of the Auditor and Treasurer of the Territory which exhibit the condition of the finances for the fiscal year ending November 15th, 1866. The Treasurer's report shows a balance in his hands of $1898 98, on the 15th of November, 1866.

I would recommend that measures be adopted to correct the abuses in regard to the collectors of the revenue which are referred to in the report of the Auditor, and I would suggest that all sheriffs and collectors be required to give but one bond each, for a sufficient amount to secure the payment of both the territorial and county funds, and that all bonds be filed with the Secretary of the Territory after being approved by the Governor.

Past defalcations and neglects of public officers should admonish the Legislature to guard for the future, the public monies, and provide suitable penalties for all officers who shall abuse their public trust. Whether such

officials should be permitted the right of suffrage and of holding office subsequent to a conviction for embezzlement, or a premeditated official wrong against an individual or the Territory, is a question which I submit for your judgment.

The Auditor, in his report, shows that the sheriffs of one-half the counties in the Territory have retained funds belonging to the Territorial treasury to the amount of $5,069 25. It will be necessary for you to give some instructions in reference to the present defaulters, and to devise means to prevent them in the future, and if such officers cannot be otherwise punished, let them be held up to public reprehension, so that they will not be hereafter elected to any office of trust or profit.

EDUCATION.

One of the great subjects of paramount interest to every community is general education, for unless the public mind be enlightened. no people can ever attain a very high degree of prosperity and happiness. Education is to the mind, what cultivation is to the soil and vegetation. An acorn my be compared to a child, take the former from the majestic tree and place it upon a shelf it becomes of no value, plant it in the earth and cultivate it and it will become a mighty oak so with the child, cultivate the mind and it becomes man, an angel; leave it without education and it will go to destruction. Education of the children, mental, moral and physical bccomes vastly more necessary to a community living under a republican form of government such as ours, than to any other for the whole theory of such a structure is based on, and depends upon the intelligence of the people. The true theory of our government is that all power is

inherent in, and derived from the people, hence how important it does become that a people possessing such vast powers, should be sufficiently enlightened to make a proper disposition of them. Let it also be recollected that under our form of government, its highest honors and richest emoluments are open to the competition of all, none are necessarily excluded, save those whom ignorance has rendered incompetent, or vice unworthy.

The necessity of an *operative common school system* in New Mexico is patent to every observer. In 1860 our population was 93,516 persons of which number there were 57,233 persons, who could not read and write, and to-day there is not a single *Free School* for the education of a single poor child within the broad expanse of the Territory of New Mexico except those who are taught by "the Brothers" and Sisters of Charity from the bounty of the Roman Catholic Church.

This Territory has been under the guidance of the government of the United States for nearly twenty years, with a civil government in operation about eighteen years, and not one dollar furnished by the government or by our own people for schools in which to educate the several thousand children who are to take our places when we are no more. Shall we take hold of this question like christian men, with a strong arm and with a will, and devise some means through which the young and rising generation can be fitted to fill our places? I feel disposed to do all I can, and in doing it I am actuated by no other motive than a simple sense of duty which I owe to the children of this Territory, a solemn duty I owe to my Creator and our free country.

The provisions made by Congress for schools in this Territory, are utterly inadequate. It is true we have eautiful and rich vallies, and our mountains abound in

minerals, but, as yet, the value of these minerals is a matter of conjecture, and cannot be fully determined until security to person and property is afforded. The singular topography of New Mexico is not well understood abroad. Congress has accorded to us the sixteenth and thirty-sixth sections in each township, when the lands shall have been surveyed, and it was doubtless supposed that the same liberality was extended to this Territory that had been granted to others. So soon as Congress becomes acquainted with the peculiar formation of the surface of this country, and becomes convinced of the fact that a different system of surveys must be made, which will prevent our obtaining the grant made and render wholly valueless to us any land appropriation, it is not doubted that other provisions will be made by Congress which will show their paternal care for us. I would therefore recommend to you to memorialize Congress and respectfully ask for such an appropriation as will be equal to what has been granted to other Territories for schools; and I would further recommend that our present school law be amended so as to require each precinct to determine by vote whether they will furnish the means to support a school for the education of all the children of the precinct, till Congress can respond to our request and furnish a school fund.

New Mexico will never be prosperous, free and happy until the means are furnished to make our school system operative.

MEXICAN CITIZENS RESIDING IN NEW MEXICO.

That class of the population of this Territory who have retained the title and rights of Mexican citizens,

and who by a late opinion of the Judiciary of this Territory have been disfranchised, should be incorporated and regarded as a part and portion of the political community of New Mexico. Many of this class of persons were misled and precipitated into the acts, which SEEM to have been an election to retain the character of Mexican citizens. But it is not believed, that, that legal formality has been observed in the supposed election which should deprive this class of our population of the rights and privileges which pertain to those who were not misled. The Congress of the United States, only, can remedy this matter. We all know that many of the most intelligent, virtuous and wealthy residents of New Mexico, regret the excitement and circumstances of the time when they were hastily placed in a false position in the land of their birth and that of their ancestors.

They rank with the best citizens of the Territory and none are more patriotic and devoted to the Government of the United States of America as they have evinced by their services during the late rebellion.

From the foregoing, you will readily conclude, and justly too, that I am fully prepared to recommend to you such action as will tend to permit each and every one of them to become citizens of this Territory, and of the United States if it shall be their pleasure to do so.

To accomplish this end, I recommend that the Legislative Assembly call the attention of the Congress of the United States to the subject, and submit to them the propriety of passing a law authorizing in a plain and simple manner a process by which these excellent persons may become a part and parcel of the people of New Mexico, with all the rights and privileges of citizens of the United States in the Territory of New Mexico.

This can be done by a law of Congress declaring all persons citizens who were residents of New Mexico and who have remained such since the treaty by which this country was acquired from Mexico, on their making known their desire of becoming citizens to the judge of the probate court of the county in which they reside, and requiring the judge to make a record of the same.

The inconveniences which have arisen in consequence of the neglect of this class of persons to avail themselves of the means to enable them to become citizens which were provided by our government when our Territory was acquired from Mexico and which are not now available, and the meritorious character of many of this class of our resident population, authorizes me to urge this matter for your favorable consideration.

THE PACIFIC RAILWAY.

The peculiar character of this portion of the mountain country stamps it as the most feasible, practicable and and economical route for a Pacific railway, within the United States and Mexico north of the Vera Cruz and city of Mexico road. The best passes over the backbone of the continent (the Rocky Mountains) from Panama to Behring Straits, are within a hundred miles of each other, on the latitude near the boundary between the United States and Mexico, one known as "Guadalupe pass," and the other as "Apache Pass," neither of which has an altitude of over 4,000 feet, and in neither of which has snow ever been known over ten inches in depth.

The route traversing this territory is the superior route for a railway to the Pacific, because the mountain elevation af the country admits of its being built at the least possible expense, because it traverses a country exceed-

ingly rich in mineral which would aid immediately upon its being built in making itself supporting, and principally because the route presents no solitary obstacle throughout the mountain portion of the United States, in preventing its operation with the same facility in winter as in summer.

While we have not this season up to this date had two inches of snow, the papers of Colorado describe the snows as many feet in depth.

The construction of a railroad to the Pacific is engrossing a large portion of the public attention throughout the nation, and while other sections are straining every nerve to secure to themselves the advantages to be derived from its location, I am sorry to say that New Mexico is making no effort in her own behalf. I would respectfully urge that such action be taken by you, as will call the attention of the railroad interest of the States to the fact that a railroad can be built as cheap, if not cheaper through New Mexico to California, than by any route north, and that it can be operated the whole year without impediments from snow.

The Pacific road E. D. passing through Lawrence and Topeka the capital of Knasas is now completed to Junction City, where a branch road constructed to start from some point west of that to run thence by way of the big bend of the Arkansas, and south of the Raton Pass, and in the direction of one of the above named passes, would secure to Saint Louis, Chicago and the eastern cities, the trade of the northern states of Mexico, the Territories of Arízona and New Mexico, the north-westtern portion of Texas and the state of California, and open and develope the resources of a country, which resources but few suppose to exist.

MINERAL RESOURCES AND GEOLOGICAL SURVEY.

The mineral resources of New Mexico are scarcely known or appreciated, and will not be until the Indians are subdued and placed upon reservations so that the explorer and miner can with safety investigate the vast mineral deposits which are undeveloped in our mountains.

Gold is known to exist in some twenty different localities in this territory. It and silver must have been known and extensively mined by the Aztecs as the presence of their old ruins is said to be an almost unfailing indication of mines. The Spaniards mined gold, silver and copper in this Territory, and Jesuit priests more thoroughly prospected it than it has been since. They report at all points great riches, and the existence of all the precious metals. At Pinos Altos quartz gold mining received considerable attention. Thirty lodes were discovered, paying from $40 to $200 per ton. The richest of these was the "Masten lode." At one time some thirty arrastas were at work and paying well, but the Indians compelled the abandonment of the work in the Pinos Altos district thirty lodes of gold quartz were worked, ten of silver, or a combination of silver and gold, and three of copper. There has been picked up in one day in a gulch in Pinos Altos ores of gold, silver, lead, zinc, magnetic iron and plumbago.

Gold placer mining was quite successful before the war near Fort Stanton. It has been found in seven localities in the Sacramento mountains.

At "the San Jose mines," in the Sierra Madre, gold quartz was extensively mined by the Spaniards and afterwards by the Mexicans. The quartz veins here intersect each other in all directions, forming a net work of veins for one mile in width and three miles in length; the surface is dotted with shafts.

On the San Francisco river gold, silver, copper and quicksilver have been found. Gold prospected in the bed of the stream from one cent to one dollar per pan. On account of the dangers from Indians no further prospects have been made on this stream. Specimens of the gold found by Capt. Walker and his party on this stream, and which are very fine, are in the cabinet of the Commissioner of the General Land office. Gold placers are found throughout the mountains in this territory, on both slopes, but water is scarce.

Gold bearing quartz has been discovered near Fort Davis, Texas. On the Mimbres river, or rather on the side hills in the vicinity of that stream, is an extensive placer—the Mexicans formerly worked it, carrying the dirt to water. A canal a few miles in length at this point I believe, would develope an extraordinary rich gold deposit.

The miues in the "Placer Mountain," about thirty miles from Santa Fé, in former years have been productive. The "Ortiz" und "Cunningham" mines, gold-bearing quartz, in this mountain, have been worked for a number of years previous to the late war. When the Texans invaded New Mexico there were about forty Americans at work in these mines, and in a run of the mill for twenty-four hours they obtained about $750 worth of gold. There is also near these shafts a coal mine several feet in width and a short distance therefrom an extensive deposit of magnetic iron. I have some fine specimens of gold from this mountain, which indicate its value. These mines have not been worked much since the rebels drove the operatives away, about three years ago.

At Pinos Altos some three hundred miners were at work in placer mining, gold quartz and silver mining, and this new district was bidding fair to be the first in richness

on the frontier; new lodes were being discovered daily. Shortly after the war broke out the Indians combined to destroy the town of Pinos Altos. They made the assult in broad day some 600 strong, and having surprised the population, they charged through the town, and the inhabitants, owe their salvation to a mountain howitzer.

At San Jose a small force was engaged in quartz mining Several companies had been organized belonging to parties from New Orleans.

At the commencement of the war a placer had been discovered in "the Sierra Capitan" where some three hundred Sierra miners, chiefly Mexicans, were at work and doing well. Other companies were about to commence operations on the silver lodes of the Organ Mountains. The Stephenson Company had shipped a lot of machinery and material to work extensively the Stephenson silver mines. These reached their destination the very week hostilities commenced on the frontier. This includes the mining operations at the commencement of the war, and these were at different points in the Territory; other points had been prospected, and the precious metals are known to exist in abundance throughout the whole mountain portion of the Territory.

Silver is the prominent and most abundant mineral of the Territory, and the lodes of silver, with its many combinations, are the most numerous. I think it will be the most profitable branch of mining in this Rocky Mountain region. It would be too tedious to specify the different localities where silver has been found, as these localities would be numberless, including almost every mountain chain in the Territory.

The principal districts known, are the Placer Mountains, near Santa Fé, the Organ Mountains, near the Mesilla Valley, and the Sierra Madre, near Pinos Altos.

The Organ Mountains are extremely rich in silver; over fifty mines have been discovered, the ore being generally argentiferous galena, admitting of a simple reduction by smelting, the mines paying from $40 to $200 per ton. The district near Mesilla Valley, in the Organ Mountains, has a mean altitude of 4,400 feet, and is intersected with ravines, affording most favorable opportunities for horizontal drifts in opening the veins. There is a belt or series of veins containing six principal veins and many smaller ones, the six larger veins varying from two to fifteen feet in width. On the largest of these veins is the celebrated "Stephenson" mine. This belt of veins crosses the Organ Mountains at or near the San Augustine Pass, and both sides of the chain of mountains present similar features and equal richness.

The country bordering on the north portion of Chihuahua is a rich silver district. Just over our line are the mines of "Corralitos," the most successful mines in the State of Chihuahua. It has been mined for forty years, in the worst Indian country of this section. Its productiveness has overcome all obstacles. It now employs several hundred hands.

Near the old town of El Paso, tradition places the locality of one of the richest silver mines known to the Spaniards. Its site has been lost since the expulsion of the Jesuits. It is said that the Jesuits of Northern Mexico were the last to suffer the effect of the decree of expulsion; and had sufficient notice of the edict, and carefully covered up the traces of mining, and placed the Indians under oaths and vows, with most terrible penalties, not to discover the whereabouts of the mines, telling them they would again return in power and glory. In this way the localities of many of the richest mines of Northern Mexico have been lost.

Before the war two copper mines were extensively worked, the "Santa Rita" and the "Hanover," turning out about twelve tons of copper per week, and employing jointly about five hundred hands. Other copper mines have been opened, and were about to commence operations. A copper mine has lately been discovered a short distance from Fort Union; the specimens indicate it to be a rich deposit. The locality of this discovery will render it very valuable, as it is convenient for the return wagons from Santa Fé and Fort Union to the Missouri river.

Since the passage of the law of this Territory to secure titles to mining discoveries, a considerable number of gold, silver, lead, copper and platinum deposits have been recorded.

It is now all important to the people of the Territory and also to the general government that a geological survey should be made of our mineral regions. Notwithstanding the knowledge which some of our citizens possess of the vast mineral resources of our Territory, this knowledge has not extended beyond our own limits to induce capital hither to develop the rich mineral deposits. This information can only be given in a reasonable time by a geological survey by some competent person. In the states there are large numbers of scientific gentlemen fully competent to perform this important work, and I have no doubt that one or two of these gentlemen might be made available if your honorable bodies would by memorial, or otherwise, call the attention of the general government to this important subject—important not only to your constituents but also to every state in the Union as well as the general government itself.

If the government could be induced to extend to us the necessary aid to secure the developing of the various rich minerals so abundant in every mountain south and west

of the Raton range, they would in a few years be able to pay every dollar of the national debt in metallic currency.

MANUFACTURES.

I desire to call the attention of your honorable bodies to the necessity of holding out some inducements to eastern capitalists for the purpose of introducing the manufacturing system of the more settled portions of our country that we may adapt them to our own local necessities.

Our flocks of sheep yield millions of pounds of wool annually, not one-fourth part of which is manufactured or used in this Territory for the want of the necessary machinery, capital and skilled labor. We are compelled to transport a large portion of our crop of wool to the states and have it manufactured, and what we require returned to us in its various forms of woollen fabrics, with transportation added both ways, which we are compelled to pay, together with large profits to the people who are prepared to manufacture one of the staple articles of our Territory.

All the freights and a greater part of the immense profits could be saved to the citizens of our Territory by investing our own means and inviting foreign capital here for these profitable investments. The loss to the Territory, in this article alone, is probably a million of dollars annually. Retain this capital here, and in a very short time our own people would be enabled to engage in other enterprises equally profitable and beneficial to us as a people. Every encouragement should be given by Legislative action for the increase of labor, capital and improved machinery of all kinds that can be made available

to develope our resources. This great branch of national, territorial and individual prosperity should not be overlooked by us.

LAND TITLES, SURVEYS, MINING CLAIMS, ETC.

By the seventh section of the act of Congress approved July 22d, 1854, the pre-emption privilege was extended to lands whether settled upon before or after survey, within the Territory of New Mexico.

The mining law passed by Congress at its last session provides that wherever, prior to the passage of the act, upon the lands heretofore designated as mineral lands, which have been excluded from survey and sale, there have been homesteads made by citizens of the United States or persons who have declared their intention to become citizens, which homesteads have been made, improved and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar or copper discovered, and which are properly agricultural lands, the said settlers or owners of such homesteads shall have a right of premption thereto, in quantity not to exceed 160 acres; or said parties may avail themselves of the provisions of the homestead act of Congress, approved May 20, 1862. It further provides that upon the survey of the so called mineral lands the Secretary of the Interior may designate and set apart such portions of such lands as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands of the United States, and subject to all the laws and regulations applicable to the same. The mining law of this Territory approved January 18, 1865, and the amendment approved, January 3, 1866, is

in accordance with the act of Congress to legalize the occupation of the mineral lands, and to extend the rights of pre-emption thereto. I can see no conflict between them except in the number of feet which a person is allowed to take.

In the absence of necessary legislation by Congress, the act gives authority to any State or Territory to provide rules for the location and working of mining claims, it will devolve upon you to examine both laws, that of the United States and the Territory, and to enact such additional rules and regulations as you may deem necessary for the perfecting of titles, and the protection of miners and capitalists, so that our rich mineral resources may be developed without infringing upon the rights of citizens who have previously occupied the lands, and held possession of them till driven away by the hostile Indians.

The people of New Mexico are indebted to Surveyor General Clark, Hon. J. Francisco Chaves and Hon. J. N. Goodwin, the Delegates from this Territory and Arizona for their indefatigable efforts in urging the passage of laws by Congress for a change in the system of surveying in the Territories so as to make it conform to the peculiar character of our mountain and valley country, suiting the surveys of the cultivatable land to the supply of water and permitting persons to reside in settlements for protection from the savage Indians and to pre-empt for a homestead the lands cultivated by them in the vicinity of such settlements. Those two measures are of incalculable importance to our people, and indicate a desire on the part of Congress to adapt their legislation to the peculiar character of our country and the wants of our people.

In this connection I would call your attention to the importance of devising some means to protect our citizens

from the speculations of designing persons, some of whom have been sent as officers to this country and who have used their position to procure old Spanish titles, for both agricultural and mineral grants, and who, I am informed expect to obtain a confirmation of them by Congress, and thereby get possession of large tracts of land which have been occupied and farmed by several thousands of our citizens, and their ancestors for more than a hundred years.

I would suggest that a memorial be adopted asking Congress to provide additional means for the surveys of the lands of New Mexico, and to confirm none of the old Spanish grants upon which our citizens have resided and farmed, but to allow the actual residents to pre-empt them as homesteads, in conformity with the pre-emption laws now before Congress.

These old Spanish land grants have generally been made to persons who have not settled upon them, and who have not complied with the conditions of the grants, and in many instances these grants have been purchased by speculators for a trifling consideration from the heirs of the parties to whom the grant was originally made, and thus the heirs and the settlers upon the lands are defrauded to benefit parties who have given no adequate consideration for what they seek to possess. Hereafter much litigation would be saved if Congress would authorize the appointment of three commissioners (as was done with California) to investigate and settle such titles, with liberal provisions in favor of the present actual settlers and the heirs of the parties to whom the grants were originally made, or that Congress be requested to authorize the settlers upon such lands to bring suit in the district courts against the government of the United States by a service on the United States district attorney, and that

a certain length of time of actual occupation should entitle the occupant to the ownership of such land.

PUBLIC BUILDINGS.

The last Legislative Assembly, by memorials, called the attention of Congress to the condition of our public buildings, and asked an additional appropriation so that they could be completed. Our energetic delegate called the attention of the House of Representatives to this subject, and endeavored to have the appropriation made but without the desired success. I would recommend that the memorial of last winter be endorsed by this Legislature; and as the Superintendent of Public Buildings has asked for a specific appropriation of nine thousand five hundred dollars for the repair of the Palace, which is in a dilapidated condition, and it is estimated will require that sum to prevent it from going to entire ruin, I would further ask that you endorse the application so as to save this old building and make it of use to the Territory.

INDIANS.

PUEBLOS.

There is not a more difficult problem existing in this Territory than that of a proper disposition of the Pueblo Indians.

There are nineteen Pueblos or towns occupied by these Indians, with 1,282 families the whole number of persons are 7,066, of which there are 2,084 children under 18 years of age, and of these children there are 383 orphans; out of this whole tribe there are but 49 persons who can read and write. These Pueblos have grants of land to the amount of 434,864,15 acres.

What should be done with them? They are here in our midst, surrounded by our population, without any authority to mingle in our political affairs. These people however, must necessarily have the same protection that is afforded to the most favored. It is a well known fact that they own portions of the richest valley lands in this Territory, and it is inevitable, that they must be slaves, (dependants) or equals. The voluntary efforts they have made for the protection of our frontier citizens, against the savage Indians, and their manifest willingness to sustain the government of the Union, and their constantly expressed desire to make available all the means in their power for the improvement of their moral and political condition demands that the United States government should do something for them so as to qualify them for citizenship. This can only be done by a system of industrial education, which can be established and carried out at comparatively small expense to the Government, and which would finally be of incalculable benefit to our citizens, to the Indians and a great economy to the Government. I have proposed to the Superintendent of Indian Affairs, and through him to Congress, the propriety of appropriating Twenty Thousand Dollars per annum for the next five years, to establish an Industrial Normal School, with a wollen factory and a nursery in which to rear all kinds of fruit trees. To place in that school the orphan children of the Pueblos and some of the children of the different savage tribes who have lost their parents, there to educate and qualify them or the most intelligent of them as teachers, so that they can keep schools in the Pueblos and on the various reservations where the savage Indians should be placed. I am satisfied that with an appropriation of one hundred thousand dollars during five years, that at the end of that period, such an institution

would be self sustaining, and that after a few years, some thirty or forty competent teachers could be supplied from the Institution annually.

The Pueblos are industrious, and produce in the aggregate a large surplus of the necessaries of life. The lands granted to them by the government are amply sufficient for their maintenance, and they therefore only need assistance in the way of education and agricultural implements and mechanics to aid them. They are in every way qualified to receive and profit by the judicious expenditures of a few thousand dollars, as I have proposed.—They can thus be elevated and made to add to the material wealth of the Territory, and ultimately fitted to enjoy and harmonize with the political and civil institutions of our country.

SAVAGE INDIANS.

We have in our midst and on our borders the following savage Indians: three bands of Apaches, who number 2,500 persons; the Navajoes, who are supposed to number 12,000, and three bands of Utahs, who are supposed to number 2,400. Total number of savage Indians who roam in New Mexico, 16,900, besides several thousand Comanches who are frequently upon our south-eastern border.

Since the Territory of New Mexico was acquired by the United States, the depredations reported officially as committed by these Indians, are as follows, viz: 2407 horses, 1,155 mules, 13,473 head of cattle, 294,740 sheep and goats; total value reported, $1,377,329 60. Also ninety persons killed, thirty-one wounded and twenty herders taken captive.

How many of our citizens have been killed by these red butchers, that have not been reported, no person can now say. These wild Indians who roam over New Mexico, and who commit their murders and depredations, and seize captives up to this day, immediately in the vicinity of our towns, and ranches, must be brought into proper subjection, or exterminated. Their daring and impudence are equalled only by their success in their butcheries and devastation. The placing of these Indians on reservations, *in the settlements*, as our experience for the last four years has fully shown, will not save our people their flocks and herds. I cannot but repeat what I have before urged, that the Indians of New Mexico who are hostile should be effectually conquered, which I trust will be done as soon as we can have troops in the Territory to accomplish it. When conquered treaties should be made with each band to obtain from them the relinquishment of the right they claim to roam where they please in this Territory. That in consideration of this claimed right, they shall receive a certain specified tract of land as their reservation outside of the settlements, the boundaries of which shall be fully defined, the Indians to be required to remain on it, and all other persons to be excluded therefrom except when permitted by the agent. The United States should give the Indians a reasonable compensation for the relinquishment of this claimed right in annual payments for a term of years not payable in money, but in such articles of clothing, provisions, seeds, farming implements as would be necessary for their comfort, and enable them to cultivate the soil. A carpenter, farmer, blacksmith and teacher should be employed for each tribe, to assist them in the erection of houses the cultivation of the soil, the repairs of farming implements and the education of the children. AN INDUSTRIAL

SCHOOL should be established on each reservation, and in the treaty it should be specified that all children between six and sixteen years of age shall be placed in charge of the agent to be educated, the government agreeing that during that period they shall be clothed and fed, and that all the children during their schooling shall be required to labor three hours per day under the direction of the agent. The children being thus made the charge of the agents, would be hostages for the good behavior of the adults.

The Indians of New Mexico are to-day as uncivilized as when the government of the United States first took them in charge, and it is my opinion that they will remain in the same state until they are settled on reservations outside of the settlements, and compelled to cultivate the soil for their maintenance, and their children educated mentally, morally and physically. This, alone, I am confident, will save them, and place this country in a condition for the full development of its pastoral, agricultural and mineral resources, and save our citizens from the constant depredations of the Indians. The development of our mineral resources would alone in a few years pay the general government more than the outlay necessary. Without it, I am convinced that they will continue to sink deeper and deeper into degradation so long as by the present policy, a mistaken generosity on the part of the government is carried out, or their practice of begging and stealing will afford them a means of subsistence.

After several years close observation and frequent intercourse with these Indians, I have become fully convinced that they should be put upon reservations and compelled to remain on them, as a matter of economy to

the government and also a benefit in every way to all parties interested.

NAVAJO CAPTIVES.

The proper disposition of the Navajo captives, about six hundred of which class are now held by our citizens, is a grave question—one which demands the undivided attention of every member of this Legislature, and should be determined with a view to do justice to those who have paid their money for them, to the full exercise of humanity towards the captives, and at the same time to conform to the constitution of the United States and the requirements of our government, as also with an especial view to economy in regard to our Territorial treasury, for our people have certainly been required to suffer losses enough by Indian depredations without being now taxed to pay for Indian captives set free.

In accordance with the following proclamation no *involuntary* servitude can now exist within the United States or any of the territories thereof:

PROCLAMATION.

WILLIAM H. SEWARD, Secretary of State of the United States,

To all to Whom these Presents May Come, reGeting:

Know ye, that, whereas, the Congress of the United States, on the 1st of February last, passed a resolution, which is in the words following, namely:

"A resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States:

Resolved, By the Senate and House of Representatives of the United States of America, in Congress assembled,

two-thirds of both Houses concurring, that the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States which, when ratified by three-fourths of said Legislatures, shall be valid to all intents and purposes as a part of said Constitution namely:

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

And, whereas, it appears from official documents on file in this department that the Amendment to the Constitution of the United States proposed as aforesaid has been ratified by the Legislatures of the States of Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia, in all twenty-seven States;

And whereas, the whole number of States in the United States is thirty-six.

And whereas, the before specially named States, whose Legislatures have ratified the said proposed amendment, constitute three-fourths of the whole number of States in the United States;

Now, therefore, be it known that I, William H Seward Secretary of State of the United States, by virtue and in pursuance of the second section of the act of Congress approved the 20th of April, 1818, entitled "An Act to provide for the publication of the laws of the United States

and for other purposes," do hereby certify that the amendment aforesaid has become valid to all intents and purposes as a part of the constitution of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the Department of State to be affixed. Done at the City of Washington, this 18th day of December, in the year of our Lord 1865, and of the Independence of the United States of America the 90th.

WM. H. SEWARD,
Secretary of State.

The government of the United States has instructed the Superintendent of Indian Affairs of New Mexico upon this subject, and nearly two years ago he gave the proper notice to our citizens. No more captives can be taken without a violation of the constitution, and those held were required to be given up.

The question however arises whether these Indians who have in former years been taken captive and held in servitude, but who have voluntarily chosen to remain in the families where they have for years lived, come under the above amendment. If it were decided by our courts that they do, then another grave question presents itself, which is, whether it is not an act of inhumanity to take these Indians from the families where they are clothed, fed and taught to lead a civilized life, and place them back in a savage state, or, what is decidedly worse, to put them where they will be debauched and degraded to the condition of brutes.

By the energetic and continued efforts of the citizens of our Territory in their voluntary campaigns aided by the Pueblo and Utah Indians, a large number of the Navajoes were compelled to come in and give themselves up.

The officers and native volunteer troops were the first to receive them at Forts Wingate and Canby, and we have now at the reservation about seven thousand of them, and I am informed that these prisoners of war have been treated in a most shameful manner. "The family circle is invaded, their wives and daughters are prostituted and diseased by the embraces of a licentious and brutalized soldiery." This statement I am told is confirmed by the report of the Surgeon of the Indian hospital, and also by the report of the Indian agents, "out of over three hundred cases reported, two hundred and sixty were syphilitic in character, while not one-half of the cases are reported from the fact that the Indians have such a horror for the hospital that they will not apply for relief until they are compelled."

It is due to Brevet Major General SYKES who has lately taken command of that post, to say that he has adopted stringent measures to correct this horrible condition of things; but it will require considerable time to remedy the evil, and in the meantime, as most of the Navajo captives are women, it would be inhuman to place them where they would be degraded rather than elevated in their condition, morally and physically. I therefore call upon you to maturely consider this subject, and to ask Congress to adopt such measures as will enable our people to obey this constitutional provision and at the same time ameliorate the condition of the hundreds of Navajo captives who now reside with and are held by our citizens, and thus prevent the sins of the ignorant Navajos and profligate soldiers from being visited upon the children of these captives to the third and fourth generation.

LOCATION OF RESERVATIONS FOR THE INDIANS.

The intelligent Superintendent of Indian Affairs of New Mexico, Col. A. B. NORTON, has been instructed by the Indian Department at Washington to furnish what information he could in regard to the location of reservations for the Indian tribes of this Territory. Since his arrival in New Mexico, he has energetically given his attention to the subject and, as far as was in his power, has visited the various Indian tribes, and has prepared an able report in regard to this subject, in which he very properly urges the location of the savages on reservations outside of the settlements. I have no doubt he will respond to any request on your part in regard to the information with reference to his views as to the proper disposition of the Indians of New Mexico, and he has assured me that he will heartily co-operate with the Governor and Legislative Assembly in any measures to relieve us of this incubus upon our prosperity.

I have been informed that there are certain persons who are urging the government to have the reservation which was set apart on the borders of New Mexico, on the Gila River for the Gila Apaches, surveyed and sold so that it may be got into the hands of certain speculators, and that the Hon. Superintendent of Indian Affairs has declined to give his sanction to this proposition. It is known that the Indians were doing well on the reservation under the agency of Dr. M. STECK, previous to the rebellion; that they were driven from there by the Texans and afterwards the Chief was treacherously killed and since which time they have been hostile, but have always expressed a desire for peace with our people and a wish to return to their reservation. I would therefore recom-

mend that the attention of the Secretary of the Interior Department be called to this subject, and that he be requested to take measures to have these Indians returned to their reservation, and that it should not be surveyed and sold.

TERRITORIAL LIBRARY.

The Territorial Library has only been increased since the last session, by the receipt of the exchanges from the states and territories, and books donated by Congress. The great portion of this accession to the Library has been forwarded through the Express Company, and there is now due that company for the transportation of books for our library, something over nine hundred dollars, for the payment of which some provision should be made. Donations of books made by Congress are upon the condition that the general government shall not be at any expense for their transportation.

I would recommend that the office of Territorial Librarian be abolished and that the Secretary of the Territory be authorized to take charge of the Library and instead of the salary and appropriation now paid to the Librarian, that the sum of five hundred dollars per annum be appropriated to be expended by the Secretary of the Territory for the proper arrangement of the old Spanish archives, for the payment of freights and the keeping in order of the books, etc.

The present indebtedness being paid, the Library with economy can be made a credit to the Territory with that annual appropriation.

DIVORCE LAW.

The laws of the United States recognize marriage as a contract both civil and religious, which the parties engage in, to live together in mutual affection and fidelity till death shall separate them.

The Roman Catholic being the predominant religion in New Mexico, a large portion of our citizens recognize the institution of marriage as one of the seven sacraments of the church, and a religious ordinance binding upon the parties who enter into it, in accordance with the law of God, and the rules of the church, as being beyond the power of any human tribunal to annul; hence in all countries where the citizens are members of that church, we do not find any law regulating a dissolution of the bonds of matrimony or the separation of husband and wife, by a judicial sentence except so far as it is considered as a civil institution which is properly a divorce, and called technically *divorce a vinculo matrimonii* from the bands of matrimony.

For this reason our Legislative Assembly has not heretofore enacted any law in regard to this subject; but owing to the mixed character of our population many applications have been made for divorces, which have been granted by our district courts, and in the absence of any specific law of our Territory, they have been granted under the common law practice, which is calculated to, and evidently has in some instances, detracted from the sacredness of that institution whether it be considered as a civil or religious compact, and has opened the door for injustice and licentiousness which it devolves upon us to prevent.

I therefore deem it my duty to call your attention emphatically to the importance of enacting a law regulating

this subject, and to suggest that such a law should provide—

1st. That the district courts of the Territory of New Mexico shall alone have the power to grant a divorce.

2d. No person shall be allowed to apply for a divorce until the parties have been residents of this Territory for at least one year previous to the application.

3d. No divorce should be granted unless for the following causes: the husband and wife should be permitted reciprocally to claim a divorce in case of adultery on the part of the other; married persons should be permitted reciprocally to claim a separation and divorce on account of habitual intemperauce, excess, cruel treatment or outrage of one of them towards the other, if such habitual intemperance or such ill-treatment is of such a nature as to render their living together insupportable; the condemnation of one of the married persons to an ignominious punishment should be for the other a sufficient cause of divorce, and it might also be equally claimed on the part of the husband and wife, when either shall abandon the other for the space of three years; whenever the husband or wife has been charged with an infamous offence and shall actually have fled from justice—the husband or wife of such fugitive should be entitled to a divorce on producing proofs to the court before whom the action for a divorce is brought that the party has fled from justice. Except in the cases where the husband or wife may have been sentenced to an infamous punishment or convicted of adultery, no divorce should be granted, unless a judgment of separatien from bed and board shall have been rendered between the parties, and two years shall have expired from the date of the judgment of separation from

bed and board, and no reconciliation shall have taken place. In the cases above excepted, a judgment of divorce should be granted in the same decree which pronounced the separation of bed and board.

4th. In case of divorce on account of adultery, the guilty should not be allowed to contract matrimony with his or her accomplice in adultery, under the penalty of being considered and prosecuted as guilty of the crime of bigamy, and under penalty of the nullity of the new marriage.

5th. No divorced party should be allowed to marry again until two years after the decree of divorce shall have been ordered by the court.

6th. Full power should be given to the court to determine all questions in regard to property between the divorced parties, and to allow the wife such alimony as the circumstances of the case may require.

7th. Ample protection should be made in the law for the custody, protection, support and education of the children of divorced persons.

The importance of this subject, in my judgment, fully justifies the time I have occupied, and which will be required by you in the perfection of a law for the regulation of it.

MILITIA CLAIMS, ETC.

I am informed that the militia of the Territory called into the service of the United States during the rebel invasion from the state of Texas in the winter and spring of 1862, have never been paid anything by the general gov-

ernment for service rendered, and a large amount of subsistence furnished at that time still remains unsettled.—The government has settled the indebtedness incurred by the States in raising troops for the suppression of the rebellion, and for services of the militia in the States that were invaded by the rebel armies.

Our much lamented deceased Governor CONNELLY during last year, by a proclamation, called upon our citizens to file with the Secretary of the Territory a statement of all claims for losses sustained by that invasion, and claims have been placed on file to the amount of several thousand dollars, and remain without any application by our Territory upon the general government for their settlement.

These matters should not be overlooked by your honorable bodies. The necessary steps should be taken to procure the proper evidence of the service of the militia and the supplying of subsistence, and an application made to Congress for an appropriation sufficient for the payment of these claims as also the long delayed claims for losses incurred in the revolution of 1847, and by Indian depredations since that period. In 1846, when General Kearny took possession of New Mexico, in his proclamation to the people he promised on the part of the United States protection against such losses. The law of reason and common sense teaches us that when the people surrender to government their allegiance and in all things conform to the mandates of the supreme law, that protection of life and property is obligatory upon the government in the fullest degree; without it, the ends of government are not attained.

I may here add, for the purpose of making the staff department of the militia more serviceable and effective in

the future, that some provision should be made for a small compensation to be paid to them for the time necessarily spent in the discharge of their official duties. The Adjutant General and the Quartermaster General of the Territory have necessarily spent much time and money for the purpose of performing the official trust reposed in them, and have not received anything from the Territory for their services or the stationery they have used.—The arms and ammunition of the Territory are kept in an unsafe place, and some provision should be made for an armory and magazine so that they may be preserved and kept in a condition to be made effective when required.—A continuation of the present state of things will leave the Executive wholly unable to keep up any military system under existing laws let the necessity be ever so great, and will render the militia entirely worthless to the people of the Territory, thus leaving our population at the mercy of the savage Indians with the exception of such protection as the general government may give. I however hope that the general government will ere long authorize the organization of two regiments of native volunteers, and furnish sufficient additional troops to subjugate all the Indians of New Mexico, and place them on reservations outside of the settlements. Until that is done, the daily depredations of these savages will require that we should protect ourselves through our volunteer organizations.

GENERAL RECOMMENDATIONS.

There are no established forms of law for the guidance of probate judges and justices of the peace. But few of those officers, if any, are members of the legal profession, and do not understand the technicalities of the law.

I am informed by high legal authority that in the district courts a large majority of the cases appealed from the courts below fail for want of form, and thus expense falls upon litigants unable to employ counsel. There can be no blame attached to the judiciary; they have their precedents the same as the carpenter has his rule and the mason his line, and they must be bound by them. The responsibility rests with the Legislature for the neglect of this important duty, and I hope you will remedy this evil during your present session.

I do earnestly recommend the immediate repeal of the law recognizing and requiring the whipping of criminals as a punishment for crime. It is a barbarous custom and is in every respect contrary to our free institutions; other punishments can be inflicted for petty criminal offences more in consonance with civilization.

I would also recommend the passage of a law requiring each county in the Territory to build and keep in repair a county jail for the safe detention of persons charged with crime, as an absolute necessity for the protection of the lives and property of our citizens. I am sorry to be compelled to say that crime throughout the Territory is on the increase; its proportions are already alarming;—murders, robberies, and all the crimes known to our laws are of constant occurrence. In the capital of the Territory three brutal murders have been committed in as many months without the officers of the law being able to find out the perpetrators. When arrests are made by our vigilant officers, they have not the means furnished them by the counties to secure and safely keep offenders of the laws until they can be tried and, if guilty, convicted of their crimes. This state of things exists to a considerable extent throughout the Territory.

I do further recommend that in the erection of jail buildings in the several counties, provision be made for the jailor's residence in the same building. This would enable the officers of the law to hold in custody for trial prisoners that might otherwise escape through the aid of accomplices.

There have been a great many complaints during the past year of a neglect of sheriffs in the discharge of their duties. In some instances I have ascertained that these complaints are well founded; in other cases, as I have already stated, it is for the want of the necessary facilities to enable them to fully discharge their duties. Give them the means first, and then if they are found wanting remove them from office and prohibit them by law from holding any office of trust or profit in the future. This subject deserves your full and serious consideration.

In this connection I am, in justice to these officers, compelled to say that the fees now allowed by law are no compensation for the time necessarily spent in the service of the various processes essential to the promotion of the ends of justice. To make an officer honest and efficient, you must pay him for his labor, and an increase of fees would very materially increase the vigilance of all our puhlic officers. Protection to persons and property is what our citizens want, and to secure that protection we must pay our officers a sufficient compensation to live on, and require them to devote their time and attention to the enforcement of the laws.

I would also ask your consideration to the propriety of the establishing but one form of action in all cases of civil procedure. It very much simplifies the practice, and is in every respect suited to our people. It has been almost

universally adopted throughout the Western States and Territories and has proved satisfactory wherever adopted.

I would also urge the same change for the Code of criminal procedure, in place of formal indictments under the common law rule for all petty criminal offences, allow the presentment to be made in the form of an information by the District Attorney, to be tried on the facts regardless of the technicalities of the common law, it is less intricate and laborious and will bring our judicial system up to the true standard. This with the proper forms for inferior courts in criminal as well as civil actions would very much relieve the District Courts and place the means in the hands of the inferior courts that would secure speedy punishment to all evil doers.

I also recommend the passage of a law authorizing the district courts to call special terms of court when in their judgment the ends of justice will be promoted. Under existing laws there is no such power granted them, and frequently in all communities such necessities arise.

This power, however, should be qualified to except cases where the regular terms for any cause have failed; this would ensure the regular terms and make provision for special terms when required.

In conclusion, gentlemen, I assure you that it will afford me the greatest pleasure to co-operate with you in the discharge of your duties as legislators, and it is my earnest wish that harmony may prevail in all our actions, and that we may all be governed solely by a desire to advance the public good, and may the good Providence who

has vouchsafed to carry our nation through many difficulties, produce amicable relations between the various departments of our government, and establish peace, constitutional order and tranquillity throughout the Union and upon such basis as will secure the same for the future.

W. F. M. ARNY.